

DEPARTMENT OF LABOR AND INDUSTRIES  
STATE OF WASHINGTON

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ELECTRICAL BOARD MEETING  
TRANSCRIPT OF PROCEEDINGS

Thursday, July 26, 2012

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BE IT REMEMBERED, that a quarterly Electrical Board meeting was held at 9:00 a.m. on Thursday, July 26, 2012, at the address of the Department of Labor & Industries, 7273 Linderson Way SW, Rooms S117 and S118, Tumwater, Washington, before CHAIRWOMAN TRACY PREZEAU, BOARD MEMBERS RODNEY BELISLE, JOHN BRICKEY, JANET LEWIS, CATHLEEN BRIGHT, RICHARD DAMIANO, DAVID CORNWALL, BRUCE TURNER, MIKE NORD, DON BAKER, ROCKY SHARP, DENNIS TOWNSEND, BRAD KING, DON GUILLOT, and SECRETARY/CHIEF ELECTRICAL INSPECTOR RONALD FULLER. Also present was ASSISTANT ATTORNEY GENERAL PAM REULAND representing the Board.

WHEREUPON, the following proceedings were held, to wit:

Reported by:

H. Milton Vance, CCR, CSR  
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Thursday, July 26, 2012

Tumwater, Washington

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## 1 PROCEEDINGS

2  
3 CHAIRWOMAN PREZEAU: All right. Good morning,  
4 everybody. By my watch, it is 9:04. So I would like to  
5 call the July 26, 2012, Electrical Board meeting to order.  
6 Good morning, everybody.

7  
8 Item 1. Approve Transcripts From April 26, 2012,  
9 Electrical Board Meeting

10  
11 CHAIRWOMAN PREZEAU: The first order of business on  
12 the agenda is approve the transcripts from April 26, 2012.  
13 The Chair would entertain a motion.

14  
15 Motion

16  
17 BOARD MEMBER BELISLE: So moved.

18 BOARD MEMBER: Second.

19 CHAIRWOMAN PREZEAU: So it has been moved and  
20 seconded to approve the transcripts from April 26. Any  
21 discussion? All those in favor, signify by saying aye.

22 THE BOARD: Aye.

23 CHAIRWOMAN PREZEAU: Opposed?

24  
25 Motion Carried

Item 2. Introduction of New Members

CHAIRWOMAN PREZEAU: So we have four new Electrical

Board members: Richard Damiano, Dennis Townsend, John Brickey, and Brad King. So welcome.

And what I would like to do with everybody's permission is to do self-introductions of all Board members just to make sure everybody knows each other. And so Don, I'm going to ask you to kick us off.

BOARD MEMBER GUILLOT: Sure. Thank you.

My name is Don Guillot. I'm with IBEW Local 77. We represent the outside line workers.

BOARD MEMBER KING: My name is Brad King. I'm with Evergreen Technologies in Seattle. And we're a data telecom contractor.

CHAIRWOMAN PREZEAU: Welcome.

BOARD MEMBER KING: Thank you.

BOARD MEMBER TOWNSEND: I'm Dennis Townsend. I'm an area supervisor for CenturyLink. I work out of Elma and Olympia. And I'm glad to be here. 39 years in the business.

CHAIRWOMAN PREZEAU: Thank you. Welcome.

BOARD MEMBER SHARP: Rocky Sharp from Madsen Electric. And I'm representing electrical contractors.

BOARD MEMBER BAKER: Don Baker with Laser Electric

1 representing electrical contractors.

2 BOARD MEMBER NORD: Mike Nord, communication workers  
3 and CenturyLink representing communication workers.

4 BOARD MEMBER TURNER: Bruce Turner, NAC Engineer.  
5 Electrical engineer from Spokane.

6 BOARD MEMBER CORNWALL: David Cornwall, Platt  
7 Electric Supply, representing the manufacturer.

8 BOARD MEMBER DAMIANO: Richard Damiano, Inland Power  
9 and Light, electrical engineer. Been in the utilities for  
10 14 years and in the industry for about 20.

11 CHAIRWOMAN PREZEAU: Tracy Prezeau. I am the Chair  
12 of the Board. I also -- I represent electricians. I'm a  
13 journeyman electrician, and have been since 2003.

14 ASSISTANT ATTORNEY GENERAL REULAND: Pam Reuland.  
15 I'm from the Attorney General's office. I am your legal  
16 advisor.

17 BOARD MEMBER BRIGHT: I'm Cathy Bright. I represent  
18 the general public.

19 BOARD MEMBER LEWIS: I'm Janet Lewis. I also  
20 represent electricians. I've been a certified electrician  
21 I believe since 1979.

22 BOARD MEMBER BRICKEY: I'm John Brickey with the city  
23 of Longview, director of community development, also the  
24 building official for the city. Also have been a licensed  
25 electrician since nineteen eighty-something.

1           BOARD MEMBER BELISLE: Rod Belisle representing  
2           electricians. And I've been an electrician since 1987.

3           MS. FORSBERG: Crystal Forsberg, Board assistant.

4           SECRETARY FULLER: Ron Fuller. I'm Chief Electrical  
5           Inspector, and a second position as Secretary to the  
6           Board.

7           CHAIRWOMAN PREZEAU: Great. And I'm going to take a  
8           point of personal privilege, and that is recognize that  
9           Jim Simmons who was former vice chair of the Board, who  
10          sat on this Board for I don't recall how many years, --

11          MR. SIMMONS: Eleven.

12          CHAIRWOMAN PREZEAU: Many. -- representing  
13          electrical contractors is in the audience today. And it's  
14          great to see you.

15          MR. SIMMONS: Good to see everybody.

16          SECRETARY FULLER: This is such a good place, he came  
17          back to visit after 11 years.

18          CHAIRWOMAN PREZEAU: Actually I think it sort of  
19          signifies what we already knew, that you're a total junkie  
20          and just can't get enough of this. Right? Can't get  
21          enough.

22          MR. SIMMONS: I miss you guys.

23          SECRETARY FULLER: Can we do audience members this  
24          time too? Normally we don't. But have the audience  
25          introduce themselves?

1 CHAIRWOMAN PREZEAU: Sure.

2 SECRETARY FULLER: That way we get the regular  
3 attenders.

4 CHAIRWOMAN PREZEAU: We have a lot of folks from the  
5 Department here. It's not a huge amount of folks. So  
6 yeah, that would be great.

7 (Audience introductions were made.)

8 CHAIRWOMAN PREZEAU: Perfect. Thanks, everybody.

9

10 Item 3. Departmental/Legislative Update

11

12 CHAIRWOMAN PREZEAU: So third -- look at that, we're  
13 just knocking down the agenda items. Third agenda item,  
14 Departmental/legislative update.

15 And Jose' is on vacation, I understand. Ron, do you  
16 have anything to report?

17 SECRETARY FULLER: Really nothing from the Department  
18 level. I mean, we're in the summer, so it's slow. No  
19 legislation or anything going on.

20 I know there's some preparation happening on the  
21 fifth floor about whoever will be the new Governor, having  
22 to respond to a new administration.

23 But that's about it, really, from Jose' I think.

24 So not a lot happening right now. Summer's always  
25 the slow time. That's why he's on leave.



1           Item 4. Discuss Board's Bylaws and Purpose

2  
3           CHAIRWOMAN PREZEAU: Okay. Number 4, discuss Board's  
4 bylaws and purpose. Ron, you want to lead us off on  
5 that?

6           SECRETARY FULLER: Sure. The -- in your packet  
7 there's bylaws and some operating procedures also. I  
8 really encourage, especially the -- I encourage everybody  
9 to reread them, probably, if you haven't read them in a  
10 while. These were developed by the Board a few years ago  
11 to just help in the way the Board functions during the  
12 meeting.

13           What I thought I'd do this morning is just kind of  
14 quickly go through what the Board's responsibilities and  
15 duties are, some of the pitfalls that I've seen over the  
16 years, et cetera.

17           Number one, I suppose, is the Board gets to hear  
18 appeals of citations and licenses, revocations. They're  
19 very different with each other. Usually when it's related  
20 to anything other than a citation that we've issued, that  
21 means that it's already been to court with the  
22 administrative hearings officer. So if they've made a  
23 decision on it, yea or nay, and either the Department or  
24 the appellant is bringing it to the Board for a second  
25 appeal.

1           One of the biggest problems that the Board seems to  
2   get into when we have a real appeal on those is that they  
3   want new information. And that's just human reaction I  
4   think that you want to hear anything everybody has to say  
5   and ask new questions. The Board doesn't really get to  
6   ask new questions. They have to totally rely on the court  
7   package from the Administrative Hearings officer. So when  
8   you have appellants and the Department up here presenting  
9   their part of the case, really what they're doing is  
10   giving you a synopsis of what happened in court and why --  
11   reenforcing why they are here in either defense -- I mean,  
12   or appeals status.

13           So it's -- I call what happens here more like a final  
14   argument in a court case. With appeals court decision,  
15   all the decisions that the Board makes are -- it's not  
16   like criminal court where you have to have unanimous  
17   decision. It's 51 percent. And that's enough to convict.  
18   Or 51 percent to let off. That's good enough too. 50/50,  
19   Tracy gets to vote, and she splits the tie. So that's a  
20   little different than people sometimes think. The  
21   Department does have the responsibility to prove the  
22   guilt. So we try to do that when we're in the court and  
23   with our evidence. Hearsay is admissible stuff. It sets  
24   -- generally I'm going to say -- and Pam will probably  
25   tell me if I'm wrong here. But I think hearsay generally

1 sets credibility more than it sets evidence. You can't  
2 make a decision based off of hearsay, but you can use it  
3 as part of your decision-making process. So fine lines on  
4 some of that stuff.

5 When you have an appeal that comes direct to you, and  
6 that's usually license revocations or suspensions,  
7 something like that, some departmental action where a  
8 civil penalty wasn't issued, then you're the original  
9 court. That means everybody that's here gets to tell you  
10 everything, and you get to ask all the questions you want.  
11 So everything's open. So it's a new court. You're not an  
12 appeal Board at that point; you're hearing it for the  
13 first time.

14 If somebody decides to appeal your decision on that,  
15 they go to superior court then.

16 The same thing with the other ones too. Really the  
17 process for citations goes to a law judge, to you,  
18 superior court, appeals court, supreme court. And we have  
19 had them go to supreme court. We've got one going to  
20 supreme court right now.

21 Then the first appeals, the same process, except that  
22 it starts with you, then goes straight to the court  
23 system, and it skips the ALJ's.

24 So that's kind of the process on appeals. There's a  
25 lot of reading normally on those things. So when you get

1     those packets -- we'll try to get them out a month early  
2     if at all possible. Sometimes we're later than we want to  
3     be because we didn't get the information or we had trouble  
4     with the printer or whatever. But we'll try to get them  
5     out really early to you. It's really advisable to read  
6     early because there's a lot of details because you're  
7     reading a word-by-word transcript from the court recorder  
8     at the ALJ's normally.

9             So court packets can be anything from about a quarter  
10     inch thick to six inches thick on one case. So it's when  
11     you get that pile, don't be overwhelmed; just start  
12     digging your way through. That's when you're going to do  
13     most of your hard work I think is that last month before a  
14     meeting normally.

15            We do everything we can to -- if we send packets out,  
16     and then the case gets dismissed, which happens fairly  
17     often actually, we try to get that word to you as soon as  
18     we can so you don't read any more than you have to read  
19     because you may not be hearing it.

20            So like today, we had potentially four issues in  
21     front of you today, and we're going to have none now as it  
22     happened. So that's the good news for you today is that  
23     we have no appeals for today.

24            The Board is mentioned several places in the statute.  
25     19.28.021 is the first place. That's about arbitrating

1       disputes between cities and the Department. And that sets  
2       up a process -- and I won't get into detail on all of  
3       this, but it's basically if a city and I have a dispute  
4       with how they're doing inspections in the city, then  
5       there's an arbitration process for that. And Board  
6       members get to be appointed on it. Two Board members, two  
7       people from the city. And they get to pick a fifth  
8       person. If they can't agree, a superior court judge picks  
9       the fifth person. In the 13 years I've been chief and the  
10      two before that when I was in central office, we've never  
11      had one of those happen.

12           We've acted as arbitrator -- the Department's  
13      actually acted as arbitrators a few times for cities and  
14      contractors but not because of a city's state dispute.

15           So -- but it's there. One of these days it'll pop  
16      up.

17           CHAIRWOMAN PREZEAU: We almost had this. We talked  
18      about this.

19           SECRETARY FULLER: Almost had it a couple of times,  
20      but then the cities backed off and my opinion did what  
21      they needed to do.

22           111 is another one that's about nonconforming  
23      installations. The Board has the right to hear appeals on  
24      that. That one, if you read, it's really limited to  
25      installations. It's not about licensing, supervision,

1 scope of work, anything like that. It's about the  
2 installation methods.

3 So, for instance, we had an appeal under that clause  
4 back around 2002 or so where I granted a variance for a  
5 dock that had a fuel dispenser on it, and the neighbor  
6 challenged my variance request. So we had -- actually had  
7 to do special meetings. We had three days worth of  
8 hearings I think with all the attorneys and everybody  
9 involved. And the decision ultimately was kind of split.  
10 We wound up redrafting our WAC rules, and the NEC  
11 redrafted itself. And if we had that case today, it  
12 wouldn't happen because the NEC allows what I allowed.  
13 But it took a three-day hearing to do that.

14 So that's an example of when you might hear that.  
15 That's the only one, again, in the last 15 years that  
16 we've had. People normally don't -- there's enough appeal  
17 process through our system that normally it doesn't get  
18 that far with a correction basically. Not to say that you  
19 couldn't have one in October because you may over a  
20 different issue with a code correction -- one code  
21 correction.

22 111 is about -- 111's the nonconforming  
23 installations.

24 131 is the appeals for the different I'll call it  
25 contractor licensing type things and administrator.

1 You've got jurisdiction over those appeals. So that's  
2 typically civil penalties. That's the administrator's  
3 failure to buy permits. That kind of stuff falls in that  
4 section.

5 271 is a similar one, but it's about electrician  
6 certification. So for some reason they put it in two  
7 different places.

8 201 is about exams. The exams are co-owned really by  
9 the Department and the Board. So when you read that one,  
10 what it says is that we have to coordinate with the Board  
11 when developing exams. In reality, we do all the work  
12 pretty much. We listen to the Board when they have advice  
13 for us. For instance, when I first started, we had a lot  
14 of trouble with our exam provider at the time. It took  
15 months to get exams done. We didn't have access to our  
16 own questions. A lot of stuff going on. And so we  
17 actually came to the conclusion that we needed to drop  
18 their contract and start all over again.

19 So the right now the Department has created all the  
20 exam questions. We have an administrator, PSI, that gives  
21 all the exams for us and grades them. We've had them for  
22 -- since 2001 actually. So quite a while. They do a  
23 really good job for us. They do a good job on the reports  
24 and things too. We're real happy with them right now.

25 So right now, on examinations, for instance, we've

1 moved from paper and pencil back when I first started  
2 there to all computerized exams now and totally randomized  
3 questions. So our whole entire 2,000-question databank is  
4 available at any exam basically depending on the question  
5 -- the questions assigned to that specialty or not.

6 So people now unlike the past can't really train for  
7 an exam. They have to train for the industry because they  
8 don't know which question they're going to get next time.

9 311 is -- has the Board duties in it. And what it  
10 basically says is that the Board gets to advise the  
11 Department on things. That's one of the things that  
12 you'll be doing today is on rules is that you get the  
13 opportunity to make a recommendation whether you support  
14 or don't support. So we'll be going through the rules in  
15 a little while and getting your opinion on each piece of  
16 it.

17 So that's kind of it in a nutshell.

18 The Board likes to watch the budget a lot. So that's  
19 part of my report is where's the fund balance at. The  
20 Board historically has said to us that they'd like in  
21 normal times to see us have six times the amount of money  
22 in the fund as our monthly expenditures. So if we have a  
23 million dollar expenditure, they'd like to see \$6 million  
24 in the fund. That's normal times. We haven't obviously  
25 been in normal times. We got down as low as three times



1 right after the recession started. We're up to about four  
2 times right now, which is -- with the historical Board  
3 members, I'm going to say that makes everybody comfortable  
4 but not real cozy.

5 So we're recovering now quite well. The fund's doing  
6 pretty good right now. So that's it in a nutshell.

7 Anything you or Pam want to add to anything I've  
8 said?

9 CHAIRWOMAN PREZEAU: I do. But I would like Pam  
10 to --

11 Do you have any comments?

12 ASSISTANT ATTORNEY GENERAL REULAND: What I've done  
13 in the past, especially for the new members, is I've  
14 provided sort of a training overview about the hearing  
15 process and what your role is and what -- how do you make  
16 findings, how do you do that. And so if you want me -- I  
17 think we've talked about doing that on a certain  
18 reoccurring basis because it's not stuff that you guys do  
19 often. And it's just some guidelines. So I'm happy to do  
20 that.

21 And I also, if the Board wants, I can also -- when we  
22 are actually going to have hearings go through, again, the  
23 type of hearing, what you're looking for, what's  
24 admissible. So my job is to advise you about sort of what  
25 the rules are so that then you can go and apply those

1 rules and make decisions on the cases that you're going to  
2 be hearing.

3 The other thing -- I think you probably all know this  
4 -- is we are subject to the Open Public Meetings Act. So  
5 that means that you can't have side conversations.  
6 Everything's got to be out there on the table, especially  
7 appeals or decisions that the Board's going to be making.  
8 So just be cognizant of that. If anybody wants to read  
9 it, you can, but it's boring. But that's part of what I  
10 do.

11 And we're also subject to the Roberts Rules of Order,  
12 which I'm learning about. There's some -- I don't know  
13 that you handed them out -- but there's some cheat sheets  
14 that I think that everybody's -- I don't know where they  
15 came from. But I haven't found this Board to be  
16 contentious at all. Everybody is very respectful, gets  
17 along. But part of what we do is make a good record. So  
18 sometimes, following those procedures helps us to make a  
19 good record. Because, at least from my perspective, your  
20 decisions, regardless in what area, and interpretation or  
21 an appeal, those goes into superior court. So we want the  
22 record to be solid and clear and defensible. And that's  
23 -- so when I say things, that's kind of where I'm coming  
24 from on that.

25 I don't think I need to get into the details in terms

1 of the actual hearings. I think it's more germane to do  
2 that at or near the time that you're actually going to be  
3 hearing an appeal.

4 CHAIRWOMAN PREZEAU: Yeah, no, I -- so I was  
5 certainly hoping you were going to say make a good record.

6 And I will echo Pam's comments more typically. The  
7 operating principles state that we're in a nutshell  
8 supposed to deal with each other in a respectful way and  
9 with the Chief and back and forth. But the reality is we  
10 don't need rules to tell us that, right? It's  
11 historically been the behavior.

12 But one of the things I do want to -- and I will echo  
13 Pam's comment about this Board when I started on this  
14 Board in 2005 had a tremendous amount of consistency. I  
15 think most of the Board members -- Don and I started at  
16 the same time, but most of those Board members had been  
17 serving for a substantial period of time from my  
18 perspective.

19 This Board fairly recently has had a number of new  
20 Board members, which is good in the sense that, you know,  
21 bring fresh perspective and fresh set of eyes. What is a  
22 little bit of a challenge going forward is not having that  
23 consistency in terms of how original hearings are handled  
24 in the case of revocation or suspension and then appeals.  
25 But know this: As we move forward and potentially if we

1 have appeals in October, we'll task Pam with reminding us  
2 how that process works, and I will try to do my best to  
3 remind folks on how that process works so that we can not  
4 only make a good record but make the record --  
5 (inaudible).

6 The last thing I just want to highlight before I take  
7 any more questions is from my perspective it's always  
8 better to equalize expectations and equalize them  
9 up-front. If you guys look at the bylaws, it has an  
10 attendance expectation from Board members that I want to  
11 -- I'm sure Crystal will appreciate this -- bring to your  
12 attention, and that is there's sort of an expectation that  
13 Board members will attend a minimum of 75 percent of  
14 regularly scheduled Board meetings. I certainly  
15 understand that life happens and there are situations  
16 where -- that don't allow you to meet that stated minimum.  
17 But I did want to call that to everybody's attention in  
18 order for us to do good work here and knowing that the  
19 meetings are quarterly. And hopefully it's not an overly  
20 burdensome expectation.

21 I will say this, that since I've been on the Board,  
22 we have not taken action for that. Most people typically  
23 attend Board meetings. This is a -- it's a party; this is  
24 where you want to be, right? It's exciting stuff. It's  
25 exciting stuff.

1           So unless there are any questions about -- and  
2       everybody has the bylaws and the operating principles.

3           And then I know folks gave you -- Crystal handed out  
4       the RCW's and the WAC's in case the Board members if you  
5       don't have those, obviously when we're going through our  
6       rule-making right now, so the rules are going to become  
7       obsolete, if you will. But we've got a little bit more to  
8       go on that process.

9           But any questions about any of that? Everybody's  
10      happy?

11          I'd be happier if we had coffee at these meetings.  
12      But because we're in a budgetary crunch, we do not have  
13      coffee at these meetings anymore.

14          All right. Ron, are we done with agenda item 4?

15      SECRETARY FULLER: Sure.

16  
17                               Item 5. Elect Vice-Chair

18  
19      CHAIRWOMAN PREZEAU: All right. So now we are at  
20      agenda number 5. This is where we're going to see if  
21      things are going to get interesting today. Elect a  
22      vice-chair.

23          Because normally this Board has a Chair and a  
24      Vice-Chair. Our Vice-Chair was Don Kopczynski who served  
25      this Board for a number of years. And Richard is his

1 replacement in terms of representing utilities -- electric  
2 utilities. And so we lost our Vice-Chair.

3 So I will remind the Board members, not the new Board  
4 members, but the Board members that have been here  
5 previously, we had -- when Don became the Vice-Chair,  
6 there was an election for Chair, and there was some  
7 conversation about another existing Board member of being  
8 potentially the Vice Chair. And he's not looking at me.  
9 And I don't know. This is completely up to the Board's  
10 wishes, but there was discussion at one point about Rocky  
11 Sharp serving as the Vice Chair. But then as you guys  
12 remember, we went in a little bit different direction,  
13 which was great. I mean, Don did a great job. And -- but  
14 I will -- the Chair will entertain discussion or a motion  
15 about satisfying the vacant Vice Chair seat. Nomination?  
16 Rod.

17  
18 Motion/Nomination

19  
20 BOARD MEMBER BELISLE: I'd like to nominate Rocky  
21 Sharp as Vice Chair.

22 BOARD MEMBER NORD: I'll second that.

23 CHAIRWOMAN PREZEAU: All right. So we have a  
24 nomination for Rocky Sharp to be the Vice Chair.

25 Do you accept that nomination, Rocky?

1 BOARD MEMBER SHARP: Yes, I'll accept.

2 CHAIRWOMAN PREZEAU: Are there any other nominations  
3 for Vice Chair?

4

5 Motion

6

7 BOARD MEMBER GUILLOT: I move nominations be closed.

8 BOARD MEMBER NORD: I'll second that one also.

9 CHAIRWOMAN PREZEAU: All right. So a motion's been  
10 made to end nominations and seconded. Any discussion on  
11 that motion?

12 To our attorney, are you upset by this?

13 ASSISTANT ATTORNEY GENERAL REULAND: No.

14 CHAIRWOMAN PREZEAU: Okay. Any discussion on that  
15 motion?

16 All those in favor of closing nominations signify by  
17 saying "aye."

18 THE BOARD: Aye.

19 CHAIRWOMAN PREZEAU: Any opposed?

20

21 Motion Carried

22

23 CHAIRWOMAN PREZEAU: All right. So I think now we  
24 just -- I don't know if we actually have to do this, but  
25 the next motion from us is a motion to elect Rocky Sharp

1 as the Vice Chair of the Washington State Electrical  
2 Board. Any discussion on that motion? All those in favor  
3 -- are you nervous, Rocky? All those in favor signify by  
4 saying "aye."

5 THE BOARD: Aye.

6 CHAIRWOMAN PREZEAU: Any opposed?

7  
8 Motion/Nomination Carried

9  
10 CHAIRWOMAN PREZEAU: All right. Rocky,  
11 congratulations, you are the new Vice Chair of the  
12 Electrical Board. And it comes with great perks.

13  
14 Item 6. Appeals

15  
16 CHAIRWOMAN PREZEAU: All right. So agenda item 6,  
17 Appeals.

18 SECRETARY FULLER: Okay. William McDowell -- the  
19 Department and Mr. McDowell are both requesting a  
20 continuance again. We're about a week away from getting a  
21 settlement in place on that one. So I think we'll do that  
22 next week. It would have been done this week, but his  
23 attorney's out on vacation this week.

24 ASSISTANT ATTORNEY GENERAL REULAND: That would have  
25 been an original hearing, right?



1           SECRETARY FULLER: That would have been an original  
2 hearing, right.

3           So I don't believe it'll be -- it'll be back on your  
4 agenda next time, but it'll be a closed issue at that  
5 point.

6           North Shore Electric. That was an appeal by the  
7 Department. And the Department has cancelled its appeal  
8 on that one.

9           And Computer 5 Local Tel is the -- Computer 5 has  
10 withdrawn their appeal of that one too. So that was --  
11 they had some questions for the Board. And a preliminary  
12 issue for us was, Did the Board have jurisdiction because  
13 they used 111 in the RCW as their basis. And we would  
14 have challenged that. So they're going back to the  
15 drawing boards and they'll be asking me direct questions  
16 sometime. So sooner or later you may hear their appeal; I  
17 don't know. So that one is withdrawn also.

18          ASSISTANT ATTORNEY GENERAL REULAND: Ron, can I  
19 interject?

20          SECRETARY FULLER: Sure.

21          ASSISTANT ATTORNEY GENERAL REULAND: That was not an  
22 appeal. That was a petition to the Board for an  
23 interpretation. So there wasn't -- there were other  
24 issues with that.

25          CHAIRWOMAN PREZEAU: So what you're saying is that

1       this one still could come back in a different form?

2               SECRETARY FULLER: Unlikely. But anything can  
3       happen. More likely it'll go through the Department  
4       through the regular court system first.

5               Shall we just rock on through this?

6               CHAIRWOMAN PREZEAU: We're just rockin' on through.

7  
8                               Item 7. Secretary's Report

9  
10              SECRETARY FULLER: Okay. Secretary's Report.

11             In your handout there's a Secretary's Report. The  
12       fund balance through May was \$5.8 million. It looks like  
13       through June it's going to be just a hair over \$5.9  
14       million. And it looks like July is probably going to hang  
15       right at about the same level, about \$5.9 million. So  
16       permit sales have been fairly solid since spring compared  
17       to last year. So our expenditures are remaining the same.  
18       Expenditures are somewhere between \$1.3 and \$1.4 million  
19       right now per month. So we're in pretty good footing  
20       right now. The fund is growing. I predict the fund's  
21       going to get up to over \$6 million before the end of the  
22       summer. And then it'll go back down during the winter.  
23       Next year we're going to have the same kind of cycle  
24       probably. The Department isn't projecting any significant  
25       increase in permit sales until actually end of 2014 or

1 later even. So we're not intending on probably bringing  
2 any more staff on at this point.

3 Just for the new Board members' sake I guess, we got  
4 down to just over \$3 million in the fund in the heat of  
5 the recession. And we laid off -- we went from 144 field  
6 inspectors to 90 in a one-year period. We also laid off  
7 -- I don't even remember -- about 20 administrator staff  
8 in the same time period. So we've brought 11 inspectors  
9 back now. We've brought all the ones we've brought back,  
10 we've brought back as non-permanent temporary inspectors.  
11 So we're trying to get our flexibility back so that we can  
12 respond. If another region needs help, we can shift  
13 people a lot easier without having to do layoffs again.

14 So the inspectors typically do about ten -- this last  
15 year they did about ten and a half inspections per day.  
16 The average inspector drives about 120 miles a day. They  
17 write -- this last year, they wrote about eight citations  
18 per quarter each. So they have a pretty busy life out  
19 there as inspectors.

20 We'll talk about goals and all that down here in a  
21 little bit, but --

22 So right now we're doing -- you know, compared to  
23 where we were two years ago, we're in really good shape.  
24 I'm still not comfortable and cozy like I said earlier,  
25 but it's okay right now. We're not looking for any more

1 layoffs or anything like that.

2 We did a 13 percent fee increase in permits a year  
3 ago. That was a one-time thing where the legislature gave  
4 us the ability to match our expenditures for certain  
5 activities against our revenues, and that's what it took  
6 to make permits pay for themselves, break even, was that  
7 13 percent.

8 And we just raised fees again at the end of June.  
9 And next year we don't have authorization for fee  
10 increases. So that's going to be it now for at least a  
11 year -- over a year probably. Hopefully everything will  
12 -- the economy will keep recovering, and we'll be okay for  
13 the future.

14 So any questions on the budget?

15 CHAIRWOMAN PREZEAU: Ron, I do have a question about  
16 staffing. And I believe I read in the transcript from the  
17 April meeting, there was a statement in there that there  
18 would be no new staff hired until 2014. But is that the  
19 difference between permanent and temporary staff?

20 And then there were some comments in the April Board  
21 meeting about having a seven or eight position cushion?  
22 Could you maybe talk about that a little bit?

23 SECRETARY FULLER: Okay. My projections with the  
24 budget basically is that we're -- I'm not anticipating a  
25 need for more inspectors unless something happens to the

1 economy that's good that we don't know about. So that's  
2 about the statement of not hiring any more inspectors.  
3 Our intent is not to hire any more until at least summer  
4 of 2014.

5 The cushion was about -- when we did all the layoffs,  
6 that was 30-some-odd inspectors. So the way the budget  
7 works with OFM, Office of Fiscal Management, is that if  
8 you lay off people, you don't need them, they take your  
9 allotments away normally. So they actually took us down  
10 to 19 positions left, which was only about half of what we  
11 laid off. And we managed to hang onto those for potential  
12 replacements basically of laid-off people. So we've  
13 brought back 11, and that gets us down to -- I think we  
14 have 8 left that are just sitting there. What that means  
15 is that we don't have to go to the legislature for  
16 approval to bring them back.

17 CHAIRWOMAN PREZEAU: They're already funded.

18 SECRETARY FULLER: They're funded; they're just not  
19 being utilized. So unless OFM takes them, we'll be able  
20 to bring those 9 back without going to the legislature.

21 Because when we have a need, one of the dilemmas with  
22 state government is that if I have a need for an  
23 inspector, it usually takes almost two years to get  
24 approval to hire them, which is like a headlock and an  
25 armlock and a broken leg all at the same time because then

1       it's way too late to respond to your customers.

2           VICE CHAIR SHARP:   Is that including temporary?

3           SECRETARY FULLER:   Anybody.   Because it's about the  
4       allotment FTE.   So it's real critical that -- you know,  
5       and I've really fought tooth and nail to keep those 19.  
6       Because having that ability is just crucial to responding  
7       to any significant recovery.

8           CHAIRWOMAN PREZEAU:   So those are in the queue for  
9       potential growth, right?   But is it a different scenario  
10      if Charlie Brinkmeier (phonetic) -- no, he doesn't work  
11      here anymore -- Faith decides that she's going to retire?

12          SECRETARY FULLER:   Well, then we just replace that.

13          CHAIRWOMAN PREZEAU:   Okay.   So you don't have any  
14      limits on replacing folks?

15          SECRETARY FULLER:   No.

16          CHAIRWOMAN PREZEAU:   Because you have a -- you have a  
17      significant number of folks that are potentially eligible  
18      or ready or close to being eligible for retirement.

19          SECRETARY FULLER:   Correct.   We've actually --  
20      between the -- not all of the 11, but part of them -- I  
21      can't remember exactly -- about half.   We had 19 new  
22      inspectors hired this year -- this last year.   So that's a  
23      fair amount of hiring when you have only 100 people.

24           And I believe the supervisors actually looked at  
25      this, and I want to say that we have about that many more

1 eligible for retirement next year. So we can see a pretty  
2 good turnover.

3 Any other questions on budget? Yes.

4 BOARD MEMBER DAMIANO: Ron, you said that you have  
5 some temporary so you can respond to different regions  
6 having increased activity. On a yearly basis, how much  
7 variation is there between regions as far as permit  
8 activity and specs? Is it fairly stable which ones are  
9 seeing the most activity or is there a lot of variation?

10 SECRETARY FULLER: There's a lot of variation in  
11 region 5 which is Central Washington.

12 For instance, every spring they have a huge  
13 irrigation workload. Spring center permits and irrigation  
14 pumps, new pumping stations, those kinds of this things.  
15 So between early March through April, the end of May, they  
16 have a big workload increase. And then it drops off  
17 significantly actually.

18 You just never know where it's going to pop up next.

19 Microsoft built their big server farm over east of  
20 Wenatchee. And that was a big deal for us.

21 So it just pops here, pops there. No real  
22 consistency to it whatsoever. That's why we try to keep  
23 -- we've always tried to keep at least one non-permanent  
24 per region. But ideally we'd like to see two probably,  
25 which is about where we're at now. So the next people

1     that come back will likely be permanents probably because  
2     we've got enough flexibility now to shift that  
3     non-permanent position without a layoff. The person may  
4     not go. It's in the position, but it's not a layoff.

5           Okay. So just because we have new people, again, the  
6     way the budget works with us is that we're a dedicated  
7     fund. So we operate like non-profit corporation  
8     basically. We're not supposed to make money. We're not  
9     supposed to lose money. So that's why I try to keep fees  
10    comparable to what our expenditures are so that we keep a  
11    steady fund balance. We've actually -- the fund has  
12    actually been up to almost \$13 million before. That's  
13    when we had 144 inspectors, and our expenses then were  
14    about -- over -- well, about \$2 million, a little more.  
15    That was growing too fast. So we actually did fee  
16    decreases for a couple of years. We actually held fees  
17    static for two, maybe three years that I've been Chief.  
18    So five out of the 13 years that I've been in this  
19    position, we've had static or negative in fee increases  
20    actually. And the reason is you want to keep -- you want  
21    to get your fund balance to a certain level, and that's  
22    where you want your savings account to be. We base it off  
23    of what our expenditures are.

24           So that's kind of the way it works. Just like a  
25    non-profit.



1           So dedicated fund means that theoretically, all  
2       electrical revenues should be used for the electrical  
3       program. Twice since I've been Chief, the legislature has  
4       chosen to take that money or part of it. So one time we  
5       had about a \$3 million take, and the other -- that was  
6       about what it was both times actually. So they can change  
7       the law. And when they do that, they do it for -- usually  
8       it's a one-shot deal, and they come in and just take what  
9       they need to balance the budget.

10          So, so far during the recession they didn't do that  
11       because there was a lot of argument made that what we have  
12       are fees, and if they take it to put it in General Fund,  
13       it's a tax. So the anti-tax groups beat it back for all  
14       of us dedicated funds.

15          There's 100 or so. I don't know. Do you know how  
16       many there are, Pam?

17          There's about 100 dedicated funds across the state.  
18       We're not the only one.

19          But that's the theory is that electrical money is  
20       electrical spent. And that's it. So we don't get help.

21          And that's another reason that we have to balance the  
22       budget is that I don't get to go to the legislators' doors  
23       and ask them for more money out of the General Fund to  
24       help me balance the budget. So we have to pay for  
25       ourselves. That's the downside of it I guess. It's

1 better to be a dedicated fund I think.

2 Okay, Customer Service. Sold 27,000 permits during  
3 the last quarter. 86 percent of those were made on-line.  
4 99 percent of all electrical contractor permits were sold  
5 on-line during that last quarter. That's the highest  
6 we've ever been.

7 CHAIRWOMAN PREZEAU: That's awesome.

8 SECRETARY FULLER: That's almost perfect. Because  
9 when you subtract those two numbers, that only leaves, you  
10 know, three thousand and some odd homeowner permits to  
11 sell. Two things there. One is contractors are doing  
12 most of the work. Number two is contractors are using the  
13 on-line system.

14 CHAIRWOMAN PREZEAU: Doing the work that is  
15 permitted.

16 SECRETARY FULLER: Yeah, yeah.

17 So homeowner on-line sales increased to -- oh, they  
18 decreased this time from 52 to 47 percent. They've only  
19 had the ability for about three or four years now to buy  
20 their permits on-line. So that's still a pretty good  
21 percentage point.

22 On-line inspection requests are at 75 percent.  
23 Though, we'd like for those to be 100 percent too because  
24 it takes all the human factor out of the process. And we  
25 don't lose faxes or garbled phone messages and that sort

1 of thing. So we're working on that. It continues to  
2 climb. It's just a slower process.

3 It's really easy for somebody to pick up a cell phone  
4 nowadays on the job site and call their inspection in to  
5 the local office. And that's potentially a problem  
6 because one millisecond of interruption and our answering  
7 machines will drop their call. And they don't even know  
8 it's happened to them. So we have issues every once in a  
9 while with that. So we really try to get people to use  
10 the on-line system for everything.

11 Yes?

12 BOARD MEMBER BRIGHT: I'm going to reiterate my  
13 suggestion that I made the last time we discussed this  
14 about looking into the viability of a cell phone  
15 application for requesting inspection requests. And the  
16 reason I say that is most big cell phone carriers now will  
17 develop an application for a business -- and, you know, we  
18 can consider ourselves a business -- for free. So there's  
19 no up-front expense in the development of the cell phone  
20 application. Of course, you have to look at the different  
21 types of cell phones. But most smart phones you can  
22 develop a cell phone application that goes across almost  
23 all the platforms.

24 SECRETARY FULLER: The State in general is looking at  
25 that. That's way beyond me, though. And quite frankly, I

1     don't have a dollar to spend for that sort of thing right  
2     now. We'll use what we have right now.

3             There is an enterprise system -- I want to call it a  
4     study because that's not the name it has, but -- about how  
5     to combine all the licensing kinds of things and  
6     permitting kinds of things into one funnel basically. So  
7     if you want your driver's license or your Secretary of  
8     State's registration or electrical permit, you go one  
9     place, everything pops up for you. So sooner or later,  
10    that's going to happen I believe. But it's going to be a  
11    ways in the future probably.

12            CHAIRWOMAN PREZEAU: After you retire? Is that what  
13    you're saying?

14            SECRETARY FULLER: Probably. It's probably after you  
15    retire too.

16            CHAIRWOMAN PREZEAU: Okay, good.

17            SECRETARY FULLER: That's a big -- we need to just  
18    think about all the different laws and just the difference  
19    between contractor registration and electrical licensing.  
20    There are huge differences in the laws. You have to align  
21    those before you can do anything in this enterprise system  
22    and methodology. Because if everybody has a different  
23    rule, it makes the programming really difficult. But, you  
24    know, they're working on it. They'll get there.

25            So during the quarter, we were also at 53 percent for

1 license renewals. So that's the highest we've ever been  
2 on license renewals too. As fees change, the differential  
3 between on-line and paper renewals keeps growing. I think  
4 when I renewed my master card in January, it was like  
5 thirty something dollars cheaper to do it on-line. And as  
6 soon as people really realize that they're going to save  
7 30 bucks, they're go on-line. But it's hard to get that  
8 message out. We've made the little renewal minder now  
9 really point toward do it on-line without just telling  
10 them that it would be smart if they did it on-line. But  
11 we've taken away a lot of the I'll call it the instruction  
12 to get you to do it with paper and pencil. We don't want  
13 them to do that; we want them to do it on-line.

14 That 53 percent is one of the things that has really  
15 helped us. When I started in 2000, we had nineteen  
16 thousand and something licenses and certificates between  
17 all the electricians and contractors. And we have 55,000  
18 now. So we've made a big increase in the number of  
19 electricians that are actually legitimate in the state  
20 now. And we've only added one licensing person to do that  
21 processing. And it's all about this on-line stuff, the  
22 computerization that we've done. So pretty good at  
23 improving our processes.

24 Any questions on customer service?

25 BOARD MEMBER LEWIS: Madam Chair?

1 CHAIRWOMAN PREZEAU: Uh-huh.

2 BOARD MEMBER LEWIS: I do have a question. And you  
3 may get this when you give the actual budget report. But  
4 even though the Department has made progress in automating  
5 a lot of things, that has come at a cost as well. Don't  
6 we have to pay either overhead cost or pay a certain  
7 amount of money from the electrical fund to the IS  
8 department? Is that correct?

9 SECRETARY FULLER: Yes. Their budget has stayed  
10 pretty static actually for the last 12 years, though. So  
11 we pay not much more than when you were chief actually.  
12 It's pretty minimal still.

13 It's to the point now where people used to coattail  
14 on us with our electronic systems, and now we're starting  
15 to coattail them because they've come on to it and  
16 basically, you know, used our applications to do  
17 contractor registration or plumber registration, those  
18 kinds of things.

19 There's one that's happening right now that is being  
20 paid for by contractors program that will let our internal  
21 folks view multiple applications and data in those  
22 applications at the same time. It's kind of like what  
23 Cathleen was talking about with outside customers. But it  
24 will let a contractor registration compliance officer look  
25 at Department of Revenue information, Employment Security,

1 Industrial Insurance, all the records that are in L & I,  
2 and I think even Department of Licensing, and some other  
3 stuff too that I can't think of right now. But it lets  
4 them pop that one -- it's almost like Google Map or one of  
5 those things where you type in hotels for Olympia, and  
6 you get all the little flags all over your map. That's  
7 kind of how it works is you can put in an address, and  
8 flags will start popping up all around it, and you can  
9 start picking what you want. So literally they will be  
10 able to put in an address and tell if anybody has been  
11 recently interacting with them or if there's any activity  
12 there. They'll be able to see at that address if there's  
13 an electrical permit or if they owe Industrial Insurance  
14 or if they owe whoever. So it's really cool.

15 The compliance folks are really keen on getting that  
16 one out the door. Because it even shows things like, Do  
17 we have a violent customer. We have people that are no  
18 contact or have no-contact orders because they're  
19 dangerous. And it'll show that's where they live, that's  
20 where they work, that's where their business is. So that  
21 kind of thing. It's really a pretty slick system.

22 It'll be -- it's going out first to the contract  
23 compliance people. But then probably the next group will  
24 probably be our inspectors that get that. And right after  
25 that, I believe it'll be the same for licensing. Because

1     it'll really help the licensing people too in a lot of  
2     ways the way it's being set up.

3             So they won't use it for compliance, but they can use  
4     it to look at Employment Security or -- or Department of  
5     Revenue information, things where they're having to hop  
6     around to different programs right now, they won't have to  
7     do. So it's going to be a big tool for everybody. So  
8     it's kind of headed down that road like what you're  
9     talking about. It takes a lot of money. It takes time to  
10    do that stuff.

11            Anything else on that one before we move on?

12            No new testing labs or changes on that one for this  
13    time.

14            CHAIRWOMAN PREZEAU: Ron, how many testing labs do we  
15    have?

16            SECRETARY FULLER: Larry, how many testing labs do we  
17    have?

18            CHAIRWOMAN PREZEAU: Roughly.

19            SECRETARY FULLER: About 20?

20            MR. VANCE: 20, yeah.

21            CHAIRWOMAN PREZEAU: I started to think about that  
22    question because we haven't had any new testing labs for  
23    quite some time. And then it made me wonder like, Is  
24    this list like dwindling? Because we lost one last  
25    quarter I think.



1           SECRETARY FULLER: We lost Wiley.

2           MR. VANCE: Wiley, right.

3           SECRETARY FULLER: But that's -- I think we've gained  
4 a couple this year too. So it's stayed pretty static  
5 for --

6           CHAIRWOMAN PREZEAU: It's a healthy --

7           SECRETARY FULLER: -- 15 years. Those guys have all  
8 -- most of them have been around for a long time, and  
9 they're not going anywhere. They all have their niche,  
10 and they stay pretty static.

11           The one thing that has changed with them over the  
12 years is that most have expanded their allowed scope of  
13 work dramatically. There used -- when I first started,  
14 there was a lot of them that were I'll say only approved  
15 to do industrial control panels. That's all they could  
16 do. And they've since expanded to be able to do much,  
17 much more different types of equipment. So that's been a  
18 big change over the years. So even though there's not  
19 more quantity, there's a lot more capability out there  
20 right now than there was 15 years ago.

21           Okay, Performance Measures. One of our performance  
22 goals is the percentage of stops within 48 hours after an  
23 inspection request has been made. Our goal is 94 percent.  
24 This last quarter, the regions made 94 percent within 48  
25 hours. And for the year, they were averaged 93 percent.

1     So that's every inspection, whether it's in Okanogan or  
2     here in Tumwater. There's some areas that we don't get to  
3     but once a week, and that's why we'll probably never get  
4     much over this number. Because we just -- San Juan  
5     Islands, Okanogan, those kinds of places, Colville area,  
6     Forks. We just don't go there very often because there's  
7     not many people.

8             Focus citations and warnings. The goal is 936. For  
9     the quarter, we made 988. And for the year, we were up  
10    4,207. So that's up about almost between 25 and 30  
11    percent over last year. So focused citations and warnings  
12    are about citations that are for no contractor license, no  
13    electrician certificate and no permit. That's all that  
14    counts. We in total this last year wrote something over  
15    7,000 citations and warnings. So the good news is that  
16    over half of them this year were for these three things,  
17    which is the underground economy or licensed contractors  
18    that don't buy permits and compete unfairly. So we've  
19    made a lot bigger end roads with that.

20            So the regions in total exceeded their goal for the  
21    year. The ECORE team just killed their goal. They were  
22    way over what their goal was.

23            CHAIRWOMAN PREZEAU: Which how many members of the  
24    ECORE team are there right now?

25            SECRETARY FULLER: Five.

1 CHAIRWOMAN PREZEAU: And what was the max? When we  
2 were at a full throttle, how many -- what was the most  
3 we've ever had?

4 SECRETARY FULLER: Five.

5 We've been short-staffed since January. We had just  
6 brought a new person on this last month in Yakima. Jose  
7 Mantares (phonetic) is his name. He's a Yakima native  
8 over there. He's a Spanish speaker, so he's going to I  
9 think fit in really well over there. He'll be a good guy  
10 I think.

11 So even though we were short staffed for almost six  
12 months, they still exceeded their goal for the year.

13 This last quarter, the ECORE team was -- they didn't  
14 meet their goal for the quarter, but they went out every  
15 month training -- out one week every month training the  
16 regional staff on how to do better compliance, better  
17 evidence gathering. And they've got a couple of months to  
18 go yet on that. They're probably going to struggle this  
19 quarters again too. But -- then they'll be off of that  
20 task and back into their normal operation.

21 Jose' will be up to speed. And I look for him to do  
22 really well those last three quarters again.

23 So their training I think has been really important  
24 as a reason as why the regions are exceeding their goals  
25 for a change. Because what we're trying to do is show

1 inspectors that it's actually pretty easy to write a  
2 citation. They can be pretty nonconfrontational, and they  
3 can actually close it like it needs to be rather than a  
4 hostile situation.

5 The next one is number of stops per inspector per  
6 day. This isn't really a goal. It's just a workload  
7 indicator. But as you can see, last year was 10.0. And  
8 for the quarter, it was 10.1. It's going to be closer to  
9 11 probably this quarter. Usually June, July, August and  
10 September are the busiest months.

11 The number of electrical disconnect corrections, the  
12 Board's been asking us to report on this one for a long  
13 time. I'm not sure how meaningful it really is other than  
14 it just shows that we write a lot of corrections. There's  
15 a lot of bad installations out there. But in the year, we  
16 wrote 53,209 that -- what this title means is that I would  
17 have turned the power off for that one correction. So we  
18 kind of have corrections divvied up into two categories:  
19 Won't turn the power off for that one. Will. That's how  
20 many times we would have turned the power off if we  
21 wouldn't have had the corrections fixed. So that's a lot  
22 of corrections.

23 Licensing turnaround. The goal this last year has  
24 been three days. They haven't met that goal. We're going  
25 to raise their goal actually to three and a half days.

1 And part of the reason for raising their goal and letting  
2 them have more time is the on-line stuff. They're  
3 actually having more -- the stuff that they're processing  
4 is tougher now. So they're getting the ones that people  
5 can't do on-line for one reason or another. No CEU's,  
6 late, whatever it happens to be. So what they're doing is  
7 taking more time now even though the processors are still  
8 faster. But we're still at three and a half days. That's  
9 really fast.

10 When I started, we were about six weeks. So lots of  
11 changes and lots of speed-ups.

12 Turnaround time for average plan review. Goal is  
13 1.75 weeks. For the year, we were at 1.7. That's the  
14 first time they've ever been even close to that.

15 Right, Bruce?

16 BOARD MEMBER TURNER: Yeah. We had a couple of  
17 projects sail through real quick.

18 SECRETARY FULLER: And even in the quarter which is  
19 the quarter we've just finished is their busiest quarter  
20 because that's when the school plans come in. They were  
21 at only .7 weeks on an average plan to turn it around. So  
22 that's a huge change for them. They've gone through a  
23 Lean process, well, when they were at the April Board  
24 meeting.

25 CHAIRWOMAN PREZEAU: Yeah, I mean, if you read the

1 transcripts, the gentleman that reported was ecstatic.

2 SECRETARY FULLER: Right. Well, they're even more  
3 ecstatic today because this is the first time that we've  
4 gone through a school season that I remember that they  
5 haven't had to have -- they haven't asked for or needed  
6 overtime to get their work done. Because the schools,  
7 their funding requirement is we have to approve by June  
8 30th. So it's real important that we get them all out of  
9 here by June 30th. This is the first time they've ever  
10 had to do overtime. And it was because of that new  
11 process that they're doing. They're actually getting them  
12 in, getting their questions answered, rolling them through  
13 without putting them aside.

14 BOARD MEMBER SHARP: But Ron, also there's a lot less  
15 school projects this year. Or -- and maybe not amount,  
16 but size-wise.

17 SECRETARY FULLER: They still had about the same  
18 amount they had last year for renewals for us.

19 So their workload was about the same this summer as  
20 it was last summer, though. So a huge difference. This  
21 time last year, that .7 was about three weeks or four  
22 weeks. So a huge difference for them. They're really  
23 excited about what they've been doing. I give them a lot  
24 of congratulations for that.

25 So --

1           BOARD MEMBER TURNER: I have a question for you, Ron,  
2   on that. Is the prepayment thing working out like you  
3   thought it would?

4           SECRETARY FULLER: So far. We've changed -- part of  
5   the process with Plan Review used to be that we collected  
6   the payment after the fact. Technically, that's against  
7   the law because we're not supposed to gift services until  
8   you've paid -- until you've gotten your payment, you've  
9   gifted. So part of the new process is to collect a fee  
10  like permits up-front, and then we go do the inspection.

11          It's the same with Plan Review. Collect the money,  
12  then go do the plan review.

13          So, so far it's working fine it seems like.

14          There's been a couple of hiccups with the programming  
15  where they track things. So they've made some programming  
16  changes and stuff. But so far, so good.

17          So part of the process will be just like we do with a  
18  contractor with engineers is if they underpay, then we're  
19  going to fee due at the end. And if they overpay, they'll  
20  get a refund back. So it will be just the same revenue  
21  process as a permit sale is.

22          The only other performance measure that's not on this  
23  list actually is that we have one for appeal wins and  
24  losses. So we track the number of times we win or lose or  
25  we void an appeal -- void a citation before the appeal

1 proceeds forward. So when an appeal comes into central  
2 office, one of the first things that happens is that Faith  
3 sitting there gets to review that package to see if our  
4 evidence is in place. Because we want to see if it's a  
5 good citation basically. So she has an opportunity to  
6 void. We have an opportunity to lose at the law judge or  
7 here or any other place during the process. So any voids  
8 or any losses we count as a loss.

9 And we're -- I'm trying to remember what that  
10 percentage is. The goal is 90 percent wins. And we're  
11 over 90 percent wins. ECORE team's about 96 percent wins  
12 on theirs. So generally we don't -- our -- my goal with  
13 Faith is that we don't move something forward if we think  
14 we're going to lose. So it's pretty rare actually that we  
15 win. Most of our losses are at Faith's level, not at the  
16 court level or your level. Because it costs a lot of  
17 money to appeal.

18 CHAIRWOMAN PREZEAU: So to clarify, Faith isn't  
19 losing them; Faith is saying we can't win this.

20 SECRETARY FULLER: Yes. Faith is saying there's a  
21 problem, you know. We don't have a picture that we need.  
22 Or something's missing that might "deep six" us when we go  
23 to court.

24 An average appeal costs us over \$1,000 in cash, at  
25 least. Some more than that. So I'm not interested in



1 taking something forward that's going to cost me money  
2 that I'm not going to get penalties back for. I'm pretty  
3 cautious about that.

4 Licensing. Licenses processed -- I didn't write this  
5 paragraph. I think they're talking about the second  
6 quarter of the year -- the calendar year, not the fiscal  
7 year. So this last quarter, they processed 5,798  
8 licenses. And that's the hand renewals or the new  
9 application basically. So up a little bit from the  
10 previous quarter.

11 That's actually -- licensing actually went up a  
12 little bit right after the recession in the contractor  
13 realms because there were a lot of people that were  
14 getting laid off out there that decided they could be a  
15 contractor. And what we found now is that most of them  
16 have found out that they can't be a contractor either. So  
17 they've kind of tapered off on that end too. They went  
18 into business, and went out of business pretty quickly  
19 some of them. So it's stayed pretty consistent for the  
20 last several years, actually about 55,000 level for all of  
21 the licenses. We have about -- I think there's about 7-  
22 or 8,000 contractor licenses total out of that group.

23 Appeals are up from 131 to 147 this year. This is  
24 since January. Appeals are up for one reason, and that's  
25 that people are getting citations because they're

1 generally trying to contract illegally mostly. And  
2 they're doing that for one reason because they don't have  
3 any money. Then they get caught, and they don't have any  
4 money to pay either. So they're having to -- they're  
5 trying to appeal and thinking it's traffic court. What  
6 really usually happens is that we do settlements with them  
7 and offer payment plans and put them on probation and  
8 those kinds of things.

9 So those are wins in appeals. If we settle for some  
10 reason, that's a win actually because we don't have to go  
11 to court and they do have to go to court and they don't go  
12 to collections.

13 Received 161 CEU applications for the quarter. And  
14 that's up 19 percent over the January, February, March  
15 numbers.

16 CHAIRWOMAN PREZEAU: Is that just continuing  
17 education or does that include basic classroom training as  
18 well?

19 SECRETARY FULLER: Which one, Crystal?

20 MS. FORSBERG: Both.

21 SECRETARY FULLER: Both?

22 There should be more basic classroom classes coming  
23 on-line. When we start approaching next July 1st, there's  
24 going to be a lot more people wanting classes. And I  
25 don't believe the classes are -- I don't believe there's

1       enough of them out there right now to take care of the  
2       people that are going to need them.

3           That new bill that passed this last year closing the  
4       loopholes for basic classroom classes is going to be gone.  
5       The loophole is going to be gone.

6           For the new guys, there was a bill that passed that  
7       changed -- it changed the old requirement for basic  
8       classroom training for trainees, which says that when you  
9       renew your training card, you have to show hours of  
10      classroom time. But what it did was change the  
11      certification requirement to say that for every 2,000  
12      hours of experience required, that you would have to show  
13      classes. So 2,000 hour specialties, before, they weren't  
14      renewing, so they didn't take the class. Now they're  
15      going to have to take the class to get their  
16      certification.

17          Journeyman. A regular trainee for journeyman, you  
18      buy your certificate, in two years you renew, you show  
19      your classes. Two years, you renew, you show your  
20      classes. The next time, you're ready to test, you don't  
21      have any classes again. This will make them have four  
22      distinct periods of classes. So it's going to  
23      significantly increase the number of classes given.

24          CHAIRWOMAN PREZEAU: Yeah, because the reality on the  
25      ground was folks that are pursuing a specialty

1 certification would never actually have to have any  
2 classroom training.

3 SECRETARY FULLER: Right. Or one set at the most.

4 CHAIRWOMAN PREZEAU: Yeah. And then still qualify to  
5 sit for the exam. Because there was no requirement to sit  
6 for the exam to generate classroom training. The  
7 classroom training was all linked to renewal of a  
8 certificate. Of if you don't -- if you get your hours  
9 that qualify you for eligibility to take the test, you  
10 don't have to have any classroom training in order to do  
11 that.

12 SECRETARY FULLER: Right.

13 What we've shown over the years is we've pulled -- a  
14 couple of three times, we've pulled data on pass rates.  
15 And that's really a telling story. If you look at the  
16 IBEW/NECA apprenticeships, the pass rate the last time we  
17 checked was about 75 percent I think first time passers.

18 One of the other -- the independent apprenticeship  
19 program, I want to say it was about 40-something percent  
20 first-time passers.

21 CHAIRWOMAN PREZEAU: 38.

22 SECRETARY FULLER: 38.

23 The ITC apprenticeship, which is a really small one,  
24 was actually lower than the trainee without  
25 apprenticeship.

1 CHAIRWOMAN PREZEAU: No. It was one percent higher.

2 SECRETARY FULLER: One percent higher?

3 CHAIRWOMAN PREZEAU: Yeah.

4 SECRETARY FULLER: Yeah, you got all that stuff.

5 Do you remember what the non-apprentice trainees  
6 were? I want to say 30 percent.

7 CHAIRWOMAN PREZEAU: No. But at the break, I could  
8 pull it up and I could give you that report.

9 SECRETARY FULLER: I mean, it's really low. The gist  
10 is going to school makes a difference, and being in a  
11 classroom makes a difference. So that's why we've had a  
12 couple of laws passed now to get them some classroom  
13 education. It's instructor interaction. That's really  
14 what it's about is instructor interaction.

15 CHAIRWOMAN PREZEAU: Ron, do you want to report on  
16 the correction initiative?

17 SECRETARY FULLER: Okay.

18 CHAIRWOMAN PREZEAU: You reported last quarter that  
19 it was improving at 17 percent.

20 SECRETARY FULLER: The correction reduction  
21 initiative is a initiative I've had going for about five  
22 or six years now. It includes all contractors who have  
23 more than the average number of corrections per  
24 inspection. So apples to apples, big contractor to little  
25 contractor. It's about the inspection.

1           The group this last year actually wound up over 20  
2     percent improved. We've only had one year in all of those  
3     years where it's been less than 20 percent improvement.  
4     Which means reduced corrections, which means less  
5     call-backs for us, less call-backs for the contractor. So  
6     a huge benefit.

7           Those contractors get -- they get a letter every  
8     month from us that says you're doing better or worse by  
9     this percentage or your group is doing better or worse.  
10    And they also get a report of all of their -- every  
11    inspection they had that month listing all the  
12    corrections. So one permit, ten inspections, they get ten  
13    itemized list basically. So contractors really use that a  
14    lot to weed out their poor performers. That's what's  
15    happening pretty much. The dilemma is is that the bad  
16    electrician gets laid off from one guy, he goes somewhere  
17    else. So he pops back up again.

18          This year is the first year that we're actually going  
19    to have a significant change in the group. So there's a  
20    lot of people that were in the good group that are now  
21    going to be in the targeted group. I can't remember the  
22    percentages, but it's pretty significant this time.

23          They started out -- when I started the average  
24    correction per inspection was about a .5 -- well, no, it  
25    wasn't quite .5. It was about .45. And this year I think

1 we're just right at .4. So that's pretty significant  
2 improvement with a group of 700 contractors over a period  
3 of time. So every year we're just seeing a little bit  
4 better performance from everybody.

5 CHAIRWOMAN PREZEAU: Rod.

6 BOARD MEMBER BELISLE: Ron, do you notice, is there a  
7 specific type of work that that group of contractors tend  
8 to fall into or is it just simply across the board?

9 SECRETARY FULLER: Just across the board.

10 The number one correction has historically always  
11 been no access. That's the number one correction. We're  
12 hoping to drop that actually and make that number two this  
13 year. Because one of the things that we've done in our  
14 Lean process with inspectors is to change the call-back  
15 process for inspections. Which really, again, we're  
16 trying to get people to make their inspection requests  
17 on-line so that they can use the comment line. And if  
18 there's an access issue, tell us what to do. Tell us that  
19 it's the lights in room 117 or that we contact Pam to get  
20 access or we have to call Tracy before we go at all. So  
21 inspectors now with our new process are making that first  
22 call and leaving a message, making a second call the  
23 second day, and the third day they call again but they  
24 don't leave a message. The third call is the contractor  
25 saying, "We didn't get a response. We're cancelling the

1 inspection. You're going to get a correction for no  
2 access. We're not charging you the fee due, but you don't  
3 get an inspection."

4 So that keeps us from having to go out and post a  
5 tag, charge a thirty-something dollar trip fee and all  
6 that. So it's going to be better for everybody I think.

7 Contractors so far are liking that because it gets  
8 them back in the loop before they get the trip fee.

9 Okay. I'm going to skip number 8 because we're going  
10 to be going through the WAC rules in a little bit.

11 So we're done with the Secretary's Report.

12 CHAIRWOMAN PREZEAU: You're done with the Secretary's  
13 Report?

14 SECRETARY FULLER: Yep.

15 CHAIRWOMAN PREZEAU: Any questions for Ron? Cathy.

16 BOARD MEMBER BRIGHT: Go back to the key performance  
17 measures, on number two, the number of focused citations  
18 and warnings, can you talk a little bit about what the  
19 ratio to a warning versus a citation is?

20 SECRETARY FULLER: We write about 20 percent warnings  
21 overall. It's probably more like 10 percent for the  
22 focused. I mean, if it's the focused ones, that's what we  
23 focus on. We tend to issue penalties primarily.

24 The people that get warnings there are usually  
25 homeowners and business owners that don't know what



1       they're doing. So we give them usually a warning the  
2       first time. So homeowner without permit, likely they're  
3       going to get a warning. A contractor without a permit,  
4       likely going to get a ticket.

5           BOARD MEMBER BRIGHT: Do you have to make that  
6       decision, you know, at the moment of discovery? For  
7       example, if you had a homeowner that didn't know what they  
8       were doing, do you have to decide whether you're going to  
9       warn them or cite them right then? Or can you say, "Well,  
10      get your permit. I'll give you a warning, but" --

11          SECRETARY FULLER: No. The decision's never made on  
12      the site. Number one, there's still more research to do  
13      to find out if they had a prior warning, those kind of  
14      things. Find out are they going to get a permit, or are  
15      we going to have to do battle. You know, it's like every  
16      other thing in life: If we have to do battle, they're  
17      likely going to get a ticket as a homeowner.

18          So those decisions are usually made a couple three  
19      days later.

20          CHAIRWOMAN PREZEAU: Yeah, the inspector in the field  
21      doesn't usually make those, right? And then the  
22      interaction gets written up and then sent to the  
23      supervisory person?

24          SECRETARY FULLER: The inspector makes the decision  
25      only.

1           There's -- we have a entire flow chart now of policy  
2     for that stuff. And the policy for homeowners on a no  
3     permit is write a warning unless they've had a prior  
4     within three years. But if they want to write a citation,  
5     then they need to justify it to a supervisor, and the  
6     supervisor will say, "Okay, write a citation."

7           There's some things that require my approval.  
8     Serious violations. There's a few that require my  
9     approval. Mostly it's at the supervisor level ultimately.

10          BOARD MEMBER BRIGHT: So you're trying -- the intent  
11     is to be as consistent as possible under similar  
12     circumstances?

13          SECRETARY FULLER: Yes.

14          So there's -- there's five pages of flow charts  
15     telling them how to write citations. Quite comprehensive.  
16     I mean, that's just the policy of deciding to do a warning  
17     or a citation. Every violation has action taken on it.  
18     That's our policy. I don't care what it is. There's no  
19     verbals. Because verbals get us into trouble, get the  
20     contractors, get the violators into trouble because of  
21     jurisdictional boundaries and things like that. I may  
22     give three verbal warnings. You may give three verbal  
23     warnings. And so far he's got six verbal warnings.  
24     That's not acceptable to me. So we quit doing verbals.  
25     So everybody gets at least a written warning no matter

1       what.

2           CHAIRWOMAN PREZEAU:   Any other questions for Ron?

3           BOARD MEMBER CORNWALL:   This is back to Customer  
4       Service.   For the electrical license renewals, in order to  
5       increase that, is there any consideration be given to when  
6       the renewal notice goes out offer like a partial waiver of  
7       the fee?

8           SECRETARY FULLER:   We do that now.   That's what I was  
9       explaining.   There's a differential now.   For master's,  
10      it's thirty-something dollars right now.

11          CHAIRWOMAN PREZEAU:   So are you talking permit sales?

12          SECRETARY FULLER:   Licensing.

13          BOARD MEMBER CORNWALL:   License renewals.

14          SECRETARY FULLER:   Licensing, there's a differential.

15          There actually is no -- never has been a differential  
16      for permitting on-line because we had to pay several  
17      million dollars for that system, number one.   So we're  
18      recovering that money.   But it still takes money to  
19      maintain that system.   It's a much more complicated system  
20      than the licensing system is.

21          BOARD MEMBER CORNWALL:   Thank you.

22          CHAIRWOMAN PREZEAU:   All right.   So Milton, how are  
23      we doing?

24          THE REPORTER:   If we're going to do the WAC thing,  
25      maybe break before.

1 CHAIRWOMAN PREZEAU: Yeah, I'm inclined to just give  
2 us a break. So I have 20 minutes after 10:00. Let's try  
3 to come back in ten minutes. Is that going to be  
4 adequate?

5 (Recess taken.)

6 CHAIRWOMAN PREZEAU: All right. So let's call the  
7 Electrical Board meeting back to order.

8  
9 Item 8. WAC Proposal Review & Recommendation  
10

11 CHAIRWOMAN PREZEAU: We are under Agenda Item 8,  
12 which is the WAC Proposal Review and Recommendation.

13 SECRETARY FULLER: All right. We've been working on  
14 WAC rules now for a few months. The process for us, we  
15 published a special edition newsletters in March. We  
16 accepted external proposals in May. And we were working  
17 on internal proposals during the same time period. We had  
18 a technical advisory group that had an opportunity to be  
19 built in May, and we got applications from 20 people. I  
20 think 12 positions stayed vacant. Two Board members were  
21 on that committee. They were there as observers for the  
22 Board, not as voting members. They met in early June and  
23 went through most of what you're going to see here today.  
24 I'll say 98 percent probably. We made a few changes and  
25 tweaks since then. We'll actually continue to do that

1 with typographical errors and sentence structure and those  
2 kinds of things until we go to public hearing. I think we  
3 had 17 outside proposals. One of those was almost an  
4 identical mirror to ours which was adopting the telecom  
5 standards. Another one was a compromise between what we  
6 had proposed and what one of the contractor  
7 representatives proposed for expanding the Class A  
8 exemption list for permits. I think we took maybe two of  
9 the other external proposals. The TAC committee in  
10 general was in consensus in supporting what got moved  
11 forward, what you're going to see here today. On  
12 tamper-proof receptacles, we had one dissenting vote on  
13 that from one individual. And other than that, it was  
14 pretty much a 20 to 0 vote on everything that they did  
15 during that day.

16 So we're here today to go through the rules with you.  
17 The Board's obligation is to review the rules and provide  
18 a recommendation. So when we're done, what I'm looking  
19 for from you is hopefully a recommendation to move forward  
20 with the rules as is. Or if you've got suggestions, then  
21 we'll be looking at those too. So the Board's duty here  
22 is to recommend basically. Not approve, but recommend.

23 CHAIRWOMAN PREZEAU: Because the next step from here,  
24 Ron, why don't you outline that what that looks like.

25 SECRETARY FULLER: Right. The next step is to go to

1 public hearing which will probably -- looks like we're  
2 going to do that in October. So there will be a 30-day  
3 window for public comment in writing and public hearing  
4 after that. And once we do that, then we comment on any  
5 comments that we received. And time starts ticking.  
6 There's just some steps that have to happen  
7 administratively. So right now if nobody makes a bump in  
8 the road, we would have an effective rule January 1st.  
9 That's pretty unlikely actually. So more than likely,  
10 it'll be sometime in January rather than January 1st.  
11 We're still determining that. Until we get right to a  
12 public hearing, there's one thing that you're going to see  
13 in here on Class B permits, for instance, that has a date  
14 on it. So that date will -- I'm probably going to move  
15 that date out a little bit farther than January 1st just  
16 because I can't have it happening before we're effective.

17 So that's the process. And our goal is to get done  
18 as quickly as we can at this point.

19 Once we're done here with this rule, barring  
20 legislation in the next couple of years, there probably  
21 won't be any more rule-making for at least two years, and  
22 that next one will probably be fees in fiscal year '14.  
23 And then the next one after that will probably happen in  
24 that same year with the NEC. Because the NEC will get  
25 published in September of 2013.

1           Part of what you're going to see here is that we're  
2   intending to adopt July 1st, 2014. So that gives us nine  
3   months of time to do WAC rules to make any corrections  
4   that we need to make. If we find mistakes in the code, we  
5   fix that. A lot of times, they adopt things that we have  
6   in the WAC rule, so we get to eliminate WAC rules too.  
7   And that usually happens. So that gives us about a  
8   nine-month window to get through the process, which is a  
9   pretty tight time line actually but should be doable.

10          So that's the process of it basically.

11          CHAIRWOMAN PREZEAU: So then, Ron, before we actually  
12   start walking through these one by one, so there's two  
13   Electrical Board members that sat on the Technical  
14   Advisory Committee just for that process. They were Janet  
15   Lewis and Mike Nord. And I just wanted to like hear from  
16   those two folks, a book report, if you will. Because  
17   that's sort of your purpose of your participation is to  
18   keep the Board informed of the process. So if you guys  
19   want to walk us through that.

20          Janet.

21          BOARD MEMBER LEWIS: Sure, I'll start. I thought the  
22   process went very well. The TAC members got almost all of  
23   the proposals in time to review it. And then when we came  
24   together, the Department did a very good job of explaining  
25   the rules and clarifying the Department package versus the

1 package from outside.

2 I do have some serious concerns about one of the  
3 proposed changes. And a lot of those concerns did not  
4 really surface until after the TAC meeting I heard from a  
5 number of constituents. That concern has both to do with  
6 the substance of the proposed rule as well as the process  
7 on how that rule has been handled. So I think it may make  
8 more sense for me to hold those comments until we get to  
9 that particular section when we have in front of us and on  
10 the board.

11 But I think in general, it was a good day, good  
12 discussion. People were able to focus.

13 I think this one particular instance came late in the  
14 day. And I think as my duty as a Board member, I just  
15 want the Board to be aware of this one change.

16 CHAIRWOMAN PREZEAU: Okay. Mike.

17 BOARD MEMBER NORD: I agree with everything Janet  
18 said. There seemed to be a lot of good people that showed  
19 up to give input to the proposals.

20 A surprise that I had was that there were positions  
21 that nobody showed up to fill, particularly representing  
22 utility inspectors, those type of things. It seemed that  
23 they would have a vested interest in rules. And to have  
24 nobody show up to represent them is kind of unusual.

25 But all in all, everyone there seemed to have a very



1 good knowledge of the WAC rules and gave good input, and I  
2 think that a lot of good work came out of it.

3 And what Janet's referring to, I share the same  
4 concerns.

5 CHAIRWOMAN PREZEAU: All right. So I guess we'll  
6 cross that bridge when we come to it.

7 But I did think it was that there wasn't -- I mean,  
8 I've served on the Technical Advisory Committee in the  
9 past, and we've had I want to say like 40-some positions  
10 in the past that most of which were all filled. I don't  
11 know that this is -- what this really means, what  
12 conclusion you draw from that. But it seems a little  
13 bit --

14 SECRETARY FULLER: This year I actually reduced --

15 CHAIRWOMAN PREZEAU: 49. We've had 49 in 2007, which  
16 I think is the last time we did that. Right?

17 SECRETARY FULLER: Right. Very unwieldy. That was  
18 one of the reasons that we reduced it this time was to  
19 eliminate some of the positions and still maintaining the  
20 cross section.

21 I was going to bring up here -- let me find it. The  
22 TAC membership list. So this was the list. The ones that  
23 are in red here are the vacant positions that didn't have  
24 applicants.

25 So it was interesting that we didn't have the ad-hoc

1 positions in either electrician or contractor filled. No  
2 applicants whatsoever. So those were the specialties that  
3 have really a small -- they're a small piece of the  
4 licensing group. Under 10 percent. So no applicants for  
5 those at all. All the rest of the electrician and  
6 contractor positions got filled.

7 Training school, Tina Risley signed up but she didn't  
8 show up. She was the only person I think absent that day,  
9 which is an important position. JATC got filled. City  
10 inspectors, we had no city inspectors apply, which was  
11 very strange. Because we actually expanded that to give  
12 them two positions, and we had no applicants at all. We  
13 had no Washington manufacturing business, no engineer, and  
14 no testing lab applicants, which is highly unusual to have  
15 those three missing. So those were the vacant positions.

16 CHAIRWOMAN PREZEAU: And Ron, you went through the  
17 same process in terms like we did in 2007 of notification  
18 and publishing?

19 SECRETARY FULLER: We published it in the newsletter  
20 several times, put it out on the web, sent it out on the  
21 ListServ notice, I mean, everything that we could do  
22 basically. There were multiple notices on all this stuff.

23 So that's the people that were there. So it's still  
24 a pretty broad cross section. We had, you know, good  
25 contractor and electrician representatives. Still a broad

1 cross section. It was a good group.

2 They were -- I'd say everybody participated really  
3 well that day. We had no wall flowers. Everybody had  
4 something to say during the day that was there. So it was  
5 a good meeting.

6 Okay, so are we ready to roll through?

7 CHAIRWOMAN PREZEAU: Uh-huh, let's rock.

8 SECRETARY FULLER: Okay. One of the things in your  
9 package -- two things in your packet is a synopsis.  
10 That's this one right here. So substantive proposals.  
11 Kind of went through each of the different sections about  
12 what's happening and everything, what the costs are.

13 One of the mandates from the Governor -- we're still  
14 in the Governor's moratorium right now. So things had to  
15 be legislatively mandated or they needed to be I'll call  
16 it extreme safety concerns or they needed to be supported  
17 by the industry basically and be no cost.

18 So one of the focuses that you're going to see here  
19 is that we really have no economic impact study to do this  
20 time because everything on this list is either neutral or  
21 cost savings. Most are cost savings to contractors and  
22 installers.

23 We had only one legislative mandate, and that was the  
24 loophole fix I'll call it on the electrician  
25 certifications where they have to go to the classroom

1 education.

2 We took -- we had a bill here before last that  
3 allowed us sometime in the future -- it was a may bill  
4 that we may do something -- to do wearable certificates.  
5 We've been holding off on that one until we had a higher  
6 quality certificate basically. So we've got that now. So  
7 we've put that into the rule.

8 We didn't do the 2011 code update because of the last  
9 moratorium. But I think we've made a case to everyone now  
10 that we should move forward with the 2014 because to miss  
11 two cycles would just not be good. It would get the state  
12 too far behind on national standards and everything. So  
13 that's why we're doing that one.

14 And then everything else, you know, we're looking for  
15 support basically.

16 So I'm not going to go through this document because  
17 it is just a synopsis. Hopefully you've read it and it  
18 gave you some ideas about why we're doing stuff. So I'm  
19 going to minimize it and go to this one.

20 So this is the WAC rule with all the proposals  
21 highlighted. So strike-throughs, obviously, or deletions,  
22 underlines are additions or moved language. A lot of the  
23 underlines are actually just relocated language,  
24 especially back in the licensing section.

25 So I think I'm just going to scroll through and give

1     you the highlights of what we have here.

2             This first section in 010 is about adopting the 2014  
3     code. As I said, we're intending on doing that on July  
4     1st of 2014. So the 2008 will stay in place until then.  
5     We've got a bunch of new language on the telecom standards  
6     that we adopt. We've actually deleted a couple of  
7     standards that we've never ever used for anything. And  
8     just because they're not in here doesn't mean that we  
9     still can't use them for reference because they are NFPA  
10    standards on stationary pumps, for instance, and emergency  
11    stand-by systems. But we've never had to use them in the  
12    time I've been in central office.

13            Standard language. If there's a conflict, the RCW  
14    always prevails. The WAC rule's next in place, and the  
15    codes are next in place beyond that. And if it's a case  
16    of conflict between the NEC and the NESC, for instance,  
17    the NEC will prevail. So that kind of language in here.

18            So I'm going to go through this, and if you've got  
19    questions or concerns, speak up because I'm going to be  
20    looking at the screen. Otherwise, I'm just going to keep  
21    going. Because it'll take us about two hours to do this.

22            This one is just a strike-through. It's really not  
23    necessary. It was in the rule for a long time. But the  
24    NEC tells you how to finish cable. We didn't need to say  
25    that again. No big deal there.

1           Okay. This section, we took -- this is about  
2   installation methods. We deleted these two charts because  
3   over the years they've just become unnecessary. Used to  
4   have some categories about what kind of wiring methods  
5   people could use and everything. The code's gotten better  
6   over the years. So we took one of the notes in that  
7   section and put it into language and deleted the charts.  
8   So there's really no changes here at all with our policies  
9   or practices. It's just a matter of getting rid of some  
10  tables and relocating some language.

11           Got a lot of things throughout where we're just doing  
12  things like referencing the right chapter or, in this  
13  case, referencing the statute and the chapter.

14           So definitions, we've got some changes in, though.  
15  Took out all the numbers because I just finally got tired  
16  of changing all the numbers. Every time I changed one up  
17  front, I had to change 70 of them. So we're just going to  
18  take them out. They're all alphabetical anyway. I'm  
19  always looking for that stuff; it'll make my life easier.

20           Okay, installation. This is one that's really pretty  
21  important. We've added the language that an installation  
22  is not the passive testing or operational programming of  
23  an electrical system, component or equipment or wire. And  
24  then referring you to see "passive testing."

25           What this is all about is we've had some cities --

1 fire departments actually that have --

2 CHAIRWOMAN PREZEAU: This goes to agenda item,  
3 whatever it is.

4 SECRETARY FULLER: Agenda item number 9.

5 CHAIRWOMAN PREZEAU: Yes.

6 SECRETARY FULLER: So what -- I know of four cities  
7 for sure that have passed ordinances that require I'll  
8 call it fire certification for doing electrical work. And  
9 they can't do that because our statute prohibits that from  
10 happening. They can require fire certifications for  
11 things that I don't regulate. And that's things like  
12 programming. I don't regulate programming. I don't  
13 regulate pushing of buttons. I don't regulate that kind  
14 of stuff. So what we're trying to do here is provide  
15 clear definitions of what that unregulated stuff looks  
16 like. So far, the fire departments that I've been working  
17 with have -- they've been really slow, but they are coming  
18 around to finally getting their ordinances in alignment  
19 with what our statute says which is don't regulate 19.28  
20 work.

21 So the four cities that we're dealing with right now  
22 are Bremerton, Seattle, Vancouver and Spokane. So pretty  
23 significant cities, three of them are especially there.

24 So that's what this definition is all about, and the  
25 one for passive testing.

1           Identification plate. This is a pretty substantial  
2       change too. We're going to be allowing printed and etched  
3       adhesive labels. We got away from that and went to  
4       phenolic plates several years ago because we were having  
5       too much trouble with people trying to use Dymo tapes and  
6       just junk to make their labels out of. So this -- there's  
7       been a lot of progress in the industry with label makers  
8       now. There's some really good adhesive labels out there.  
9       So we're going to open it back up for them. This is one  
10      where you kind of see what happens. And if they don't  
11      give us good labels, then we'll be doing something  
12      different later probably again.

13           Job site. Been having issues the last few years,  
14      especially on some of the larger job sites, about where  
15      apprentices and trainees are compared to their supervisor.  
16      So this is intended to address what we believe supervision  
17      means. And what we've said is it's a specific job site.  
18      It's a single address, a specific physical location such  
19      as the house, building structure, or et cetera. And when  
20      we get to supervision, you're going to see how that ties  
21      into this.

22           CHAIRWOMAN PREZEAU: So you're comfortable with --  
23      that that definition is going to encompass potential  
24      problems with highway work, road work?

25           SECRETARY FULLER: Well, the supervision definition



1 will. We'll get there in just a minute.

2 This is like passive testing. It took two changes to  
3 make it happen, though.

4 Okay. Like-in-kind. Now, this is just a few words,  
5 but again pretty significant. Like-in-kind means having  
6 the same overcurrent circuit protection requirements.  
7 This actually loosens things up a little bit for  
8 installers. Because you could have a motor that just has  
9 a minute difference in amperage, and it wouldn't be  
10 like-in-kind with the old definition. What our issue is  
11 is that if you can take it out and put it back in the same  
12 circuit, goods, that's fine.

13 Okay. Member of the firm. This one, I'm trying to  
14 put it into one place. It's in several places right now  
15 in the WAC rule. A member of the firm means the member  
16 that's on file with the Department of Licensing for sole  
17 proprietorships or partnerships or with the Secretary of  
18 State for corporations. That term is really important  
19 when determining who an absentee administrator is. This  
20 has always been in the WAC rule, but this'll make it  
21 centralized, a little bit easier to find again.

22 I had a case yesterday that I was going over where  
23 husband's the administrator, wife's the business owner.  
24 Husband's not an employee. Husband's not a member of the  
25 firm. Husband's assigned to the firm. He's an absentee.

1           CHAIRWOMAN PREZEAU: How many appeals do we have  
2 that revolve around that.

3           SECRETARY FULLER: Yeah. By the law, he's an  
4 absentee because he's not involved in that company.

5           So hopefully this'll help the Board a little bit in  
6 their decision-making too.

7           Okay. Passive testing. So this goes with that other  
8 one a while ago. Passive testing such as pressing the  
9 test buttons, use of testing equipment like voltage  
10 testers, clamp-on meters, removal of a device head where  
11 the wiring is terminated on a separate base plate means  
12 testing that does not require any physical modifications  
13 to the electrical system wiring, or wiring to be  
14 disconnected or terminated except as necessary for an  
15 approved testing laboratory or approved electrical  
16 engineer performing an equipment evaluation.

17          So like UL, for instance. They send somebody out for  
18 a field evaluation. They're going to be doing stuff,  
19 potentially. So this gives them an exemption to do their  
20 work. It allows you to do a fire alarm test and unscrew a  
21 heat detector off of a base or a smoke detector, unscrew  
22 it and drop it down because typically those things are  
23 wired to the base plate. So that would be passive  
24 testing. Let the Fire Marshal regulate that if he wants  
25 to.

1           CHAIRWOMAN PREZEAU: Contrast that to lifting a  
2 wire --

3           SECRETARY FULLER: But as soon as they pull a wire  
4 lose, even on a battery, they can't require an extra  
5 certification for it because that's changing the wiring  
6 method. So replacement of a battery or pulling a battery  
7 apart to do a test will be a 19.28 regulated activity, and  
8 the Fire Marshal in the city could not issue a citation  
9 for that. They can tell somebody to have a supervisor  
10 watching that guy do that if they want. But unless the  
11 supervisor's doing the work, he's not regulated by us. So  
12 there's some real fine lines there. And I'm sure  
13 Mr. Harder will talk about that later about when and where  
14 you have people.

15           So, for instance, on an acceptance test, it will  
16 require disconnecting the battery. You have to have an  
17 electrician do that. There's nothing to prevent a Fire  
18 Marshal from passing an ordinance that says if that  
19 person's not regulated by me, then he will have a  
20 supervisor that is. Because I don't regulate supervision  
21 either. I don't regulate that stuff.

22           So there's some things that they can do to accomplish  
23 what they need and still be in compliance with what our  
24 law has to be. That may or may not make it easy for  
25 contractors. But -- and that's the way the two laws are

1 set up, though.

2 BOARD MEMBER BELISLE: I actually had a different  
3 point. I just didn't want you to go on yet if you're done  
4 with that.

5 SECRETARY FULLER: Uh-huh, okay.

6 BOARD MEMBER BELISLE: Line 8, as I was reading this,  
7 it looks like line 8, the last word potentially got  
8 dropped there. Should that have "appeal" at the end?

9 Or I don't know if you want that kind of information,  
10 but --

11 SECRETARY FULLER: Yes, I do. Because one of the  
12 things we have to do is really proofread the heck out of  
13 this thing now.

14 BOARD MEMBER BELISLE: I could have made some  
15 editorial notes there.

16 SECRETARY FULLER: So I'm going to just do that right  
17 now and get back to it later. Okay.

18 So any questions on the passive testing?

19 CHAIRWOMAN PREZEAU: Janet has one.

20 BOARD MEMBER LEWIS: Well, it's really a formatting  
21 thing. The copy we got, the new language, the underlining  
22 doesn't show. And so it was sort of hard for me to figure  
23 out, you know, exactly what's new language and what is  
24 not. And I don't know what version you're going to  
25 finally send in, but I don't think -- that whole section

1 on my copy is not underlined.

2 SECRETARY FULLER: It's supposed to have been.

3 BOARD MEMBER LEWIS: And I noticed that in a couple  
4 other sections later on as well.

5 BOARD MEMBER BELISLE: The packet that was mailed  
6 electronically had no highlights or underlines or  
7 anything.

8 BOARD MEMBER LEWIS: Yeah.

9 SECRETARY FULLER: The one that I sent last week did,  
10 though, right?

11 BOARD MEMBER LEWIS: It does. But the one in our  
12 packet today doesn't show it. So I don't know this was  
13 printed.

14 SECRETARY FULLER: I don't know what the -- you got a  
15 mailed copy?

16 BOARD MEMBER LEWIS: It was in our packets today.

17 SECRETARY FULLER: The packet today, they're  
18 underlined, right?

19 BOARD MEMBER LEWIS: No, they're not. That's the one  
20 I pulled out.

21 BOARD MEMBER BELISLE: This particular --

22 BOARD MEMBER BRIGHT: Unless -- yeah, mine doesn't  
23 have -- it has the strike-through, but it doesn't have the  
24 underlining. And unless it was highlighted -- unless  
25 there was a comment and it was -- the word was

1 highlighted, you don't know that there was a change.

2 SECRETARY FULLER: Oh, I see what you're saying.

3 Well, the printer did that. I told them to print all  
4 comments. I told them to print all the underlines and  
5 strike-throughs. We don't print any more. That's one of  
6 the dilemmas that we're forced to use the State printer  
7 now. So I don't know -- I'll go a little slower because  
8 of that, Janet. Okay?

9 BOARD MEMBER LEWIS: Okay.

10 SECRETARY FULLER: So you'll have a chance to see.

11 BOARD MEMBER DAMIANO: Ron.

12 SECRETARY FULLER: Yes.

13 BOARD MEMBER DAMIANO: On the proofreading, one of  
14 the previous definitions, it said "overcurrent current  
15 protection." I think that should be "overcurrent circuit  
16 protection."

17 SECRETARY FULLER: With one of the ones I talked  
18 about?

19 BOARD MEMBER DAMIANO: Yes.

20 BOARD MEMBER BELISLE: Yeah, I was questioning that.  
21 I was trying to justify in my mind if that was what they  
22 intended to mean or not.

23 BOARD MEMBER DAMIANO: Yeah. Line 7 there.

24 SECRETARY FULLER: Oh, I see what you're saying. It  
25 could be a strike-through right there. I'll look at that.

1           CHAIRWOMAN PREZEAU: So I will tell you this, Ron. I  
2       printed all these changes off the web site. And so it's  
3       definitely -- and all -- like the underlining, all of  
4       that's there if you take it off the web site. It's  
5       definitely a printing situation.

6           SECRETARY FULLER: Yeah, yeah. Okay. So I'll go a  
7       little slower, though, because the two documents won't  
8       match.

9           BOARD MEMBER BRIGHT: Actually before you go on to  
10      that, I have a politically correct question. On page 11,  
11      line 11, I notice that we're still referring to lineman as  
12      opposed to line workers.

13          SECRETARY FULLER: Because that's what the statute  
14      says.

15          BOARD MEMBER BRIGHT: The RCW says?

16          SECRETARY FULLER: Yes.

17          BOARD MEMBER BRIGHT: Okay.

18          SECRETARY FULLER: Okay. The next one is about a  
19      sign. Just gives some examples of what a sign is.  
20      Legibly marked, legible warning notice, marked, field  
21      marked, permanent plaque or directory. Because the code  
22      uses several different terms for things that are signs.  
23      So that was the intent of this proposal was to get those  
24      all put together.

25          Okay, supervision. This one is pretty significant

1     again. It ties in with job site. Supervision for the  
2     purpose of supervising electrical trainees means that the  
3     appropriately certified supervising electrician is on the  
4     same job site as the trainee being supervised. The  
5     trainee is not considered to be on the same job site if  
6     the supervising electrician and the trainee are working in  
7     separate buildings at a single address such as a campus,  
8     multi-building industrial complex, multi-building  
9     apartment complex, et cetera, except for a single family  
10    residence; or at an outdoor project -- streetlights or  
11    whatever, irrigation, farm, streetlights, traffic  
12    signalization -- where the trainee is more than 1,000 feet  
13    from the supervising electrician or where the trainee is  
14    more than 200 feet from the supervising electrician and  
15    out of sight.

16         So if you're on a streetlighting job -- we had one  
17    this week where the inspector was out there, no  
18    electrician in sight anywhere, but the project was kind of  
19    all over town. And supposedly the supervising electrician  
20    was there. They gave us a statement that said he was, but  
21    couldn't find him anywhere. But the trainee didn't know  
22    where he was at either. He just knew that he was working  
23    that day somewhere. So this will hopefully eliminate that  
24    and get that trainee at least within sight of people that  
25    supposedly train him.



1           Okay. System design review. This isn't a change;  
2       it's just a relocation from other places in the WAC rule  
3       about what we want for design documents when we're doing  
4       PV systems, for instance, up-front what we're looking for  
5       for inspection.

6           Telecommunications. This is a new definition. It  
7       means any transmission, emission or reception of data over  
8       radio frequency, wire or optical fiber from a transmitter  
9       or transmitters to a receiver. Mode of modulation may be  
10      either analog or digital. Telecommunications is not the  
11      transmission of any level of electrical power that is used  
12      to provide operational power such as relay operation,  
13      motor function, lighting power, switching power, device  
14      power, etc. If a circuit contains both operational power  
15      and telecom, the circuit is not telecommunications.

16          Yes.

17          BOARD MEMBER TURNER: I've got some questions and  
18      concerns about this definition. So if it does not -- if  
19      it does contain power and communications, it's not  
20      telecommunications, so that means that chapter 8 does not  
21      apply; is that correct?

22          SECRETARY FULLER: That's true. Because it would go  
23      into 725 then.

24          BOARD MEMBER TURNER: Okay. So I guess my main  
25      concern is if there's maybe an unintended consequence here

1 in that if there is a data network that's installed that  
2 is strictly communications, Cat5e, Cat6 cable or whatever  
3 is installed, inspected, and everything is fine, and six  
4 months later an owner substitutes a switch with a POE  
5 switch and now all of a sudden that cable is no longer  
6 telecommunications, are we creating a trap for ourselves?

7 SECRETARY FULLER: The only thing that would shift in  
8 that kind of a situation would be the licensing  
9 requirement for the second contractor. Because the work  
10 would still -- well, whoever does that install would have  
11 to be an owner or an 06 or an 01 contractor. Could not be  
12 done by a telecom contractor.

13 BOARD MEMBER TURNER: To change the network switch  
14 would require a license?

15 SECRETARY FULLER: If it turns the system into POE,  
16 yes.

17 The NEC is actually taking a really hard look at this  
18 right now and going the same direction that we're headed  
19 here, which is if you've got a mixed system, it falls to  
20 the higher category, which is limited energy.

21 BOARD MEMBER TURNER: So -- I mean, changing switches  
22 is something I see people do all the time.

23 SECRETARY FULLER: But it's not just about changing  
24 the switch, Bruce. It's about introducing a power system  
25 over the same cable.

1           BOARD MEMBER TURNER: No, I understand that. I'm  
2 just saying that you're now going to have a lot of IT  
3 people who should not be changing switches, if I'm  
4 understanding you correctly, because changing a switch  
5 from a regular network switch to a POE switch now changes  
6 the system from telecommunications to a 7 1 5 system.

7           SECRETARY FULLER: That's true. But it also keeps  
8 people from being a telecom uncertified worker, telecom  
9 contractor from installing a LED lighting system that  
10 looks and feels like a telecom system to a lot of people.  
11 I mean, there are lighting systems that will light this  
12 building right now that are fed with power right off of  
13 what looks like a server. And that is not the -- that has  
14 never been the intent of the telecommunications law.

15           The telecommunications law, if you look at 19.28 and  
16 read it closely, it only allows limited energy system  
17 interconnections to other systems.

18           What that was about was, for instance, connecting a  
19 fire alarm system communications signal into a telecom  
20 signal to enunciate out somewhere else. That's all that  
21 was about. Telecommunications has never included POE.

22           So this really doesn't change anything, but it  
23 definitely clarifies it. Because people read that 19.28  
24 definition, and they see limited energy and they stop.  
25 They don't read the rest of the sentence that says

1 interconnection with other systems. So that's becoming a  
2 bigger and bigger problem. It's becoming less and less  
3 telecommunications systems out there because everything is  
4 going toward POE.

5 BOARD MEMBER TURNER: So if an inspector goes to a  
6 site and there's a UTP cable being installed, will they  
7 say -- will they be asking the question: Is this POE? Is  
8 this not POE?

9 SECRETARY FULLER: Yes. We do that now. Have been  
10 for a long time.

11 BOARD MEMBER TURNER: So they'll have to know what  
12 the owner intends to do with that cable.

13 SECRETARY FULLER: Correct.

14 BOARD MEMBER TURNER: And what he may do a year from  
15 now after it's inspected.

16 SECRETARY FULLER: Correct. And if they have no  
17 answer, we default to 06, limited energy.

18 Because there's a lot of companies out there that are  
19 just cable installers. They put no equipment in  
20 whatsoever. And if they don't know what that cable's for,  
21 they must be an 06 electrician.

22 So again, this really doesn't change anything. But  
23 it definitely clarifies what telecom is.

24 BOARD MEMBER TURNER: And it's not what people are  
25 used to thinking here, per your definition.

1           SECRETARY FULLER: That could be. That could be in  
2 the case of telecommunications contractors. Because  
3 they're like every new specialty; they kind of want to  
4 stretch their boundaries sometimes.

5           But the law is real clear that it's not -- it doesn't  
6 include any low voltage except that interconnection point.

7           And the NEC -- Larry just got back from Boston. He  
8 was over representing us with the NEC and NFPA people last  
9 week. And one of his reports back was that they're -- in  
10 the '14 code, they're going to be taking some pretty heavy  
11 looks at POE and redefining it so that it's clear what is  
12 and isn't telecom. And it sounds like they're going this  
13 way.

14          Is that a true statement, Larry?

15          MR. VANCE: Yeah. The new code articles that apply  
16 to these types of installations is that it's an exploding  
17 market of technology.

18          CHAIRWOMAN PREZEAU: Brad, I don't want to put you on  
19 the spot. Do you have any love/hate relationship with  
20 this? Or are you --

21          BOARD MEMBER KING: There's going to be a lot of  
22 problems. I can see a lot of problems with this. Because  
23 most cable contractors are putting in -- (inaudible) --  
24 cabling into the infrastructure. We don't always know  
25 what the end device is, don't typically ask that question.

1 And quite often it's not specified in the RFP that we  
2 respond to. We're just responding to the network  
3 infrastructure.

4 So I guess the onus is on us to ask what it's going  
5 to be used for. That way we can find out whether or not  
6 we're qualified to put it in.

7 SECRETARY FULLER: Because we've always issued  
8 citations if a telecom contractor doesn't have a definite  
9 purpose and they're not POE -- if they are POE. We've  
10 been issuing citations for years.

11 So again, from an enforcement point of view, it  
12 doesn't change anything. To catch it is a different  
13 story. Because a lot of telecom stuff goes in after the  
14 fact, --

15 BOARD MEMBER KING: Absolutely.

16 SECRETARY FULLER: -- and we never see it. But when  
17 we find them, they get citations.

18 CHAIRWOMAN PREZEAU: I don't -- from my observation,  
19 it feels like -- and I appreciate Larry's comments about  
20 this part of the industry is kind of exploding and has  
21 been exploding at a very rapid rate. And I -- this is not  
22 my area of expertise, but it sort of feels a little bit  
23 like maybe our WAC rules are not maybe keeping pace with  
24 the evolution of the industry, or they're moving -- or  
25 we're staying still it feels like and they're moving. I

1     don't know what -- again, I don't come from this part of  
2     it. Specifically this is not my area of expertise.

3             SECRETARY FULLER: I'm going to say that we are  
4     keeping pace, that the telecom industry is morphing into  
5     something that's not telecom.

6             The decision here is, do you want unlicensed people  
7     and electricians to be installing power at any level? And  
8     when the telecom bill passed, the answer to that was  
9     absolutely not.

10            CHAIRWOMAN PREZEAU: I agree with that.

11            SECRETARY FULLER: So I think they're the ones that  
12     really aren't changing in accordance with the law with  
13     their industry. That's my opinion.

14            CHAIRWOMAN PREZEAU: Rod.

15            BOARD MEMBER BELISLE: I guess from a code  
16     perspective, I like this definition because it reflects  
17     what the NEC already mandates. I mean, if you're a pure  
18     code user, this is already clear. But if you just happen  
19     to be a person out there in the work world as an IT guy  
20     and you don't necessarily have that knowledge of the code,  
21     you may not know. I think this very much clarifies that  
22     for that installer or the intended installer.

23            I also like the clarification with the lighting power  
24     because that's been a changing world in fiber-optic  
25     lighting and now, as Rod said, LED lighting over a network

1 is becoming commonplace. So it's important to keep up  
2 with that. This way, everyone knows where the state  
3 stands. I think that's good.

4 CHAIRWOMAN PREZEAU: Cool. Anything else? Good  
5 discussion.

6 SECRETARY FULLER: Okay. Flash protection, struck  
7 out some language that says -- well, it just talks about  
8 the label. So this gets us back to that definition of  
9 what's an identification plate again. So really no change  
10 here.

11 This little tweak right here was to put the right  
12 terminology in, "disconnecting means."

13 This one is a strike-out because the NEC adopted our  
14 WAC rule in essence with the last code cycle in 2008. We  
15 actually had this one on the plate for previous  
16 rule-making, but we got stopped by the moratorium on it.  
17 So just something that's unnecessary now.

18 The code used to require an outlet behind a  
19 corner-mounted sink in a kitchen with windows above it.  
20 So not very doable. They don't do that anymore.

21 This change in 215 allows an engineer signature on  
22 the one-line drawings. So we -- just an oversight from  
23 our perspective. We require the contractor to do that, so  
24 an engineer's fully capable of signing a one-line off.

25 Put in there that we want the diagram to be available



1 on the job site during the inspection process. A lot of  
2 times what we found over the last few years was that the  
3 diagram would be there on the first inspection, and then  
4 it wouldn't be there on the second one. So just a  
5 clarification that we want it there until the job's done.

6 This next one is ground-fault protection for feeders.  
7 We eliminated the requirement for a ground-fault  
8 protection test when the installer certifies that there's  
9 no grounded connector on the load side of the device. So  
10 that'll save people a lot of money of testing when there's  
11 no grounded circuit on the secondary anyway.

12 This one in 220, in determining the feeder and  
13 service size, we're going to allow people to use the  
14 Washington Energy Code lighting power allowance table and  
15 footnotes instead of the NEC 220.12.

16 Because 220 sets a minimum watts per square foot.  
17 The energy code has a maximum on it which is way less than  
18 that. So in Washington you couldn't design do the NEC  
19 even if you wanted to.

20 Branch circuit calculations. Well, this was one we  
21 just relocated it. The section number changed is what  
22 really happened here. We moved this one out. So really  
23 no change here.

24 This one in 225 allows no more than -- it went from  
25 two feeders to six feeders originating from the same

1 service equipment and with each feeder terminating in a  
2 single disconnecting means at the building or structure.

3 We've had -- there are some utilities out that have  
4 very definite limits that they want service equipment to  
5 be by the road basically. And the old rule limited you to  
6 two feeders down to a building when the NEC in reality  
7 will let you have up to six service disconnecting means.  
8 So we're trying to treat these feeders more like we would  
9 a service. So it'll expand it and let people use smaller  
10 wires, smaller overcurrent protection and things. So it  
11 kind of more parallels the feeder and the service  
12 definitions at this point.

13 My main requirement for us is that they're grouped  
14 together and within ten feet of each other when they get  
15 to the house.

16 Location of outside feeder disconnecting means. Got  
17 some strike-outs. What this one's really all about, it  
18 says that when you have generators that are for 700  
19 systems, that you can consider them basically inside the  
20 building even though they're outside. It's a little bit  
21 tighter actually than the NEC. The NEC lets some of these  
22 things go to 50 feet. We've always stayed at 15. One of  
23 those lines in the sand where we've always felt like 50  
24 feet might be a little too far away. So just some  
25 clarifying language there.

1           This section here clarifies that a generator  
2     disconnecting means installed per this section is not  
3     required to be suitable for use as service equipment. So  
4     again, we're letting people consider it a feeder rather  
5     than a service.

6           Okay. This one in 230 -- this is page number 24  
7     we're at now -- is same requirement, relaxation actually  
8     of the ground-fault protection test requirement for  
9     services that we did for feeders. So ungrounded systems  
10    don't need ground-fault tests.

11          Okay. Change "stairs" to "steps."

12          Grounding electrode conductors. This is a new  
13    interpretation. I think it actually matches what the NEC  
14    has said for several cycles now. What it says is except  
15    for mobile homes, a concrete encased electrode must be  
16    installed and used at each new building or structure that  
17    is built upon a permanent concrete foundation. If the  
18    concrete encased electrode is not available for  
19    connection, a ground ring must be installed per NEC 250.  
20    The electrode must comply with 250.52(A)(3). And  
21    inspection may be accomplished in all these different  
22    ways.

23          The code has always said this. But they've always  
24    said if it's available. Well, what we're saying here now  
25    is if it's a new building, it is available. And that's

1 the way most of the states have always interpreted it, but  
2 we haven't. So we're kind of catching up with the rest of  
3 the nation on this one.

4 The ground ring scenario is an option. If they don't  
5 do it up-front when the footing's being poured, they can  
6 put a ground ring in at heavy penalty. But more likely  
7 they're going to drive ground rods and stuff. But that's  
8 what the city codes -- the Washington Cities Code has in  
9 it as a requirement. So we're kind of matching what they  
10 have. And they've had that for quite a while now. Most  
11 of the people that use Washington Cities Code have always  
12 required the grounding electrode to be concrete encased.

13 CHAIRWOMAN PREZEAU: Rod.

14 BOARD MEMBER BELISLE: As I read this one, the first  
15 sentence says concrete encased electrode must be installed  
16 and used. And then the next sentence says if it's not  
17 available for connection. If the first sentence said it  
18 must be installed and used?

19 SECRETARY FULLER: Yeah. Well, the penalty is if  
20 it's not -- if you don't do it, you're going to put a  
21 ground ring in.

22 BOARD MEMBER BELISLE: Yeah.

23 SECRETARY FULLER: So again, we're --

24 CHAIRWOMAN PREZEAU: So what you're saying is if they  
25 somehow, you know, install it incorrectly and you can't

1       actually after the concrete or whatever. So if you -- you  
2       don't get to play games with, "Well, I put it there, but  
3       then I didn't really put it in there right." And so now  
4       the penalty is you have to install a ground --

5               SECRETARY FULLER: Or if you just don't -- I mean, if  
6       the general contractor doesn't get the electrician there  
7       to do it, what's going to have to happen is the electrical  
8       contractor is going to have to put in a ground ring.  
9       That's going to be the penalty.

10              And so historically here, generals don't get people  
11       there in time to connect. So this is going to change  
12       that practice. It's going to get them there to connect to  
13       rebar, which is the best grounding method there is.

14              So some of them are going to get missed. And if you  
15       miss, what are the options? We don't want the options to  
16       just be a ground rod anymore.

17              CHAIRWOMAN PREZEAU: Rod, are you comfortable with --

18              BOARD MEMBER BELISLE: Yeah. I just think -- I don't  
19       like code that says you have to do this, but then if you  
20       don't do this, that's kind of -- it's -- you're already  
21       giving somebody a cop out. I would just soon not put it  
22       there, and then if they don't do it, they screwed up.

23              SECRETARY FULLER: And I agree technically with the  
24       writing. The problem is is that if you don't do this,  
25       then they've got all those other kinds of grounding

1 options which they're going to go to, which costs them  
2 nothing pretty much.

3 This ground ring is expensive. So they're not going  
4 to do that very often. One time probably, and you're not  
5 going to make that mistake again.

6 Okay. 300, we're going to strike out cables and  
7 raceways for telecom, power limited, NEC 2 and 3 must be  
8 installed in compliance with Chapter 3. I think we fixed  
9 that in --

10 BOARD MEMBER BELISLE: It was moved.

11 SECRETARY FULLER: We moved this basically.

12 Okay. 336 is a new section. It allows TC cable to  
13 be used anyplace NM cable is able to be used if you meet  
14 the NM cable requirements. This one really came about for  
15 one reason only. And it's split unit HVAC systems. They  
16 come with TC cable typically as an interconnection between  
17 the outdoor and the indoor unit, and technically it's  
18 illegal. So we've allowed it for some time now as an  
19 installation method because TC is much superior to NM.  
20 And so if somebody wants to spend the money on it, wire a  
21 house with it if you want.

22 406 is a new section. This is the place where we had  
23 one dissenting vote on the TAC. 406.11 is amended to read  
24 that in all areas specified in 210.52, all non-locking 125  
25 volt, 15 and 20 amp receptacles must be listed

1     tamper-resistant receptacles. We have an exception that  
2     says receptacles in the following locations will not be  
3     required to be tamper resistant, when located more than  
4     five and a half feet above the finished floor, when  
5     they're part of a luminaire or an appliance, a single  
6     receptacle or duplex for two appliances located within  
7     dedicated space for each appliance that's in normal use  
8     and not easily moved from one place to another and that's  
9     cord and plug connected, nongrounding receptacles used for  
10    replacements, and receptacles located above a countertop  
11    where required in 210.52.

12           So the objection at the TAC from the one person was  
13    about number (5). He wanted those kitchen countertop  
14    receptacles to be tamper proof.

15           The problem we've been running into in the field,  
16    especially with high-end houses, a lot of wire mould being  
17    used, and you can't get tamper-proof receptacles for wire  
18    mould. So that was the objection was only to number (5)  
19    there actually.

20           CHAIRWOMAN PREZEAU: Well, isn't the tamper proof  
21    really supposed to be for human beings that aren't tall  
22    enough. Right? Really, it's for children.

23           SECRETARY FULLER: Right, children. Small children.

24           CHAIRWOMAN PREZEAU: There are still some counters  
25    that I can't reach. Right? So for sure most two year

1 olds can't.

2 SECRETARY FULLER: Yeah. So this kind of gets you --  
3 it leans that way.

4 I mean, can an infant get on top of a kitchen  
5 countertop? Absolutely. They pull all the drawers out  
6 and make themselves a nice set of stairs.

7 But there's only so much you can regulate. So that  
8 was why we're doing this.

9 Okay. This one is about the split-unit HVAC  
10 equipment again. We were asked by the industry actually  
11 to put this proposal forward from the Department. And we  
12 agreed with them. Is that in one- and two-family  
13 dwellings, a disconnecting means is required for the  
14 indoor unit of a split system unless the outdoor unit  
15 disconnecting means is lockable, disconnects the indoor  
16 unit, and the indoor disconnecting means is not required  
17 by the manufacturer. In most cases, that's exactly what  
18 they supply. It's very rare that the manufacturer  
19 requires an indoor. So this gets rid of the disconnect on  
20 the inside wall of a bedroom, for instance. They did not  
21 want it in commercial applications because even in  
22 multi-family, because they sometimes have so many units  
23 lined up next to each, they can't tell where they all go.  
24 So they were nervous in moving it beyond the two-family  
25 dwelling.



1           Okay. 445 was wind generator equipment. We struck  
2           out all the design review language here is all we did and  
3           moved it into that definition.

4           Used the right word there.

5           Spelled "hangars" correctly. Nobody's caught that in  
6           like ten years. Go figure.

7           Okay. Special occupancies. This one isn't needed  
8           anymore because the NEC takes care of all of these issues  
9           now.

10          Okay. This proposal in 550 actually came from the  
11          factory assembled structures people because they wanted to  
12          clarify when a permit was required. Basically if you've  
13          got a mobile home, we're inspecting everything that comes  
14          off the pedestal outside. They're inspecting everything  
15          that comes off the panel inside. If you've got something  
16          remote like an out building that comes from the inside  
17          panel, they're going to look at it from the panel to the J  
18          box that's mandatory on the corner of the mobile home.  
19          We're going to look at it from that J box out to the  
20          outside. So if you've got an out building off of an  
21          inside panel, it's going to be two permits, two inspectors  
22          show up. So it just clarifies what the two laws say  
23          basically and what jurisdictions are.

24          Don's looking at me like he has a question there.

25          BOARD MEMBER BAKER: So work done on the inside of a

1 mobile home has got to be inspected by a factory --

2 SECRETARY FULLER: Yes. We have no jurisdiction  
3 inside. Other than if you don't buy a permit, we can  
4 still issue a citation for that. But not for the -- we  
5 don't do the inspections inside.

6 The only thing we inspect inside is the termination  
7 of the feeder from the pedestal outside the termination of  
8 it.

9 BOARD MEMBER BAKER: I was just thinking back to  
10 projects over the years.

11 CHAIRWOMAN PREZEAU: There's no -- don't compel  
12 yourself for incrimination -- self-incrimination.

13 SECRETARY FULLER: We're on the record here, you  
14 know.

15 BOARD MEMBER BAKER: It's projects that other people  
16 have done that I'm aware of that your inspectors  
17 inspected.

18 SECRETARY FULLER: Okay. 600. This is on page 36  
19 looks like. This one was another one that we did based  
20 off of a recommendation from the sign industry. Neon  
21 channel signs that moving from neon to LED lets them make  
22 the retrofit in place so long as they can put a new  
23 listing mark on it. So this may or may not conflict with  
24 their contract with UL, but we won't make them pull the  
25 sign down and take it back to the shop to put a sticker on

1     it; it lets them do it in the field.

2             Grounding and bonding. This was a second one from  
3     the sign industry which actually matches the exemption in  
4     the NEC for 2011 which let's you not -- basically not  
5     ground class 2 power systems that are used on retrofits  
6     for signs. There's no hazard with class 2 systems. So  
7     the code now in the 2011 lets you not ground those systems  
8     where the old code did have that requirement.

9             This one is a little bit different for hydromassage  
10    bathtubs. It says for hydromassage bathtubs, the ground  
11    fault circuit interrupter must be identified as to use and  
12    not located in a building or tub cavity, crawl space or  
13    attic. We've had lots and lots of complaints from  
14    homeowners that they can't find their GFI when it trips.  
15    So they wind up having to call a contractor to push the  
16    button for them. And so this will prevent that GFI from  
17    being hidden in a crawl space through a little 9 x 9 hole  
18    cut in the floor in the bottom of a tub. So get it out  
19    where it's visible.

20            The second one here is that all equipment installed  
21    to support the bathtub like disconnecting means, motors,  
22    and et cetera must be accessible from the same grade level  
23    as the tub or from a landing on the exterior of the  
24    building without the use of a ladder or other access  
25    device. The same kind of complaints from homeowners.

1     They get ready to -- they want to turn the disconnect off  
2     or something, they don't really know what to do.  
3     Typically all that stuff's hidden under a tub and not very  
4     accessible to the homeowners. So this is strictly a  
5     homeowner measure right here. So contractor now will have  
6     to put that stuff out in the bathroom somewhere or put it  
7     into the panelboard somewhere so that it's available to  
8     the homeowner.

9           PV systems. Quite a few changes in this section  
10    actually. A new definition for building integrated. What  
11    this means is that if you've got a panel that looks and  
12    feels like a piece of the building -- roofing tile,  
13    window, mirror, all kinds of looking things now that are  
14    actually PV panels -- they can be placed by a general  
15    contractor, but they cannot be wired by a general  
16    contractor. So if you've got three-tab roofing that's a  
17    solar panel, you can have a roofer put it in place, but  
18    there has to be an electrician to connect all the wiring  
19    up.

20           So it's -- and they're moving this way too. It's  
21    kind of like the telecom industry. Lots of changes in the  
22    PV system stuff right now.

23           So this clarifies that that general can do that  
24    stuff. The requirement, though, is that there needs to be  
25    an electrical permit there when they're placing them. You

1 don't get to after we stumble across somebody placing them  
2 worry about having a permit there. There will be a permit  
3 on site up in advance.

4 BOARD MEMBER SHARP: So who -- so the general would  
5 have to take the permit?

6 SECRETARY FULLER: No. They got to have an  
7 electrical --

8 BOARD MEMBER SHARP: So they've got get someone --  
9 because they can't leave the --

10 SECRETARY FULLER: They got to be ready to do the  
11 wiring.

12 Some of those things -- it depends on what they have.  
13 Some of them, it takes simultaneous things to happen. You  
14 may need the roofer there and the electrician all at the  
15 same time to do the work.

16 BOARD MEMBER BAKER: So you don't consider the  
17 installation of the photo array electrical installation?

18 SECRETARY FULLER: For a building-integrated system.  
19 If it's a straight PV array, it's absolutely electrical  
20 only. It has to meet this definition for integrated which  
21 means it has to be a part of the structure. A roof, a  
22 window, or something like that. So it kind of falls back  
23 to how we've treated heaters and furnaces for a long time.  
24 An HVAC unlicensed electrical guy can put them in all day  
25 long, but he can't put any wiring to them.

1 CHAIRWOMAN PREZEAU: He can set them.

2 SECRETARY FULLER: He can set them, but not --  
3 anybody can place that pump, but an electrician has to  
4 wire the pump. So it's kind of the same track we've been  
5 on all along with other stuff. So it's a two-trade piece  
6 of equipment basically.

7 A plain panel on a roof on some racks, that's  
8 electrical only because it's not a part of that roof.

9 Make sense?

10 Rod.

11 BOARD MEMBER BELISLE: Maybe I can read into what Don  
12 is thinking. What if you have a parking structure that  
13 has four steel poles, and then it has unirack aluminum  
14 racking that holds up PV panels that provide a carport,  
15 that unirack becomes the structure -- the panels become  
16 the structure, but they're PV panels.

17 SECRETARY FULLER: If it's structural, then it's  
18 going to be a building integrated, and a general could  
19 place it. It's going to have to be a structural element  
20 of the building.

21 BOARD MEMBER BELISLE: It would be the only structure  
22 that would be a stand-alone structure out in a gravel  
23 parking lot, for example.

24 SECRETARY FULLER: Well, if it's not keeping the rain  
25 off the place and it's not being treated as a roof by the

1 building official, then it's not building integrated.

2 BOARD MEMBER BELISLE: Okay.

3 SECRETARY FULLER: That's the way you're going to  
4 have to look at it. Does the building official look at it  
5 from a structural viewpoint? If yes, then it meets this  
6 definition.

7 CHAIRWOMAN PREZEAU: So you're going to let somebody  
8 else define that?

9 SECRETARY FULLER: Well, it's already in the building  
10 code. It's already there for them.

11 This definition is really pretty much word for word  
12 right out of what the solar PV industry has already  
13 defined it as being to. This isn't some new invention of  
14 ours; it's pretty much plagiarized right off their stuff.

15 CHAIRWOMAN PREZEAU: I get the sense that there are  
16 those people that aren't super comfortable with it,  
17 though. I mean, just because you -- you know, plagiarism  
18 is typically the highest form of flattery from my  
19 perspective. But if you don't like the product --

20 SECRETARY FULLER: Well -- I mean, from a  
21 contractor's point of view, if it's got any electrical on  
22 it or an electrician's point of view, I want to keep it  
23 for my own. So I can understand that. But in reality,  
24 it's not pure electrical if it's building-integrated  
25 stuff. It's just not pure electrical. It's like a

1     furnace or a pump; it takes two trades maybe. Not to  
2     prevent an electrical contractor from installing all the  
3     building integrated in total if he wants. Put the roof  
4     on. Nail it down. That's fine.

5             BOARD MEMBER BAKER: I've just -- a whole array of  
6     questions going through my head, thinking through the  
7     process of unlicensed people installing electrical. I get  
8     that furnaces are being installed by mechanical  
9     contractors. I'm just thinking, Is there any life safety  
10    issues there when I got other crafts, maybe unskilled  
11    crafts, installing siding and roofing as part of an  
12    electrical system?

13            SECRETARY FULLER: That's why we're requiring that  
14    electrical contractor to be present day one. I mean, I  
15    wouldn't be comfortable with it either if they got to put  
16    it in and six months later along came you to hook it up,  
17    and part of it's hidden.

18            BOARD MEMBER BAKER: So I --

19                               (Whereupon, proceedings  
20                               became unreportable due to  
21                               talking over each other.)

22            BOARD MEMBER BAKER: -- have to have a license within  
23    1,000 feet or this guy installing the roofing a trainee  
24    now?

25            SECRETARY FULLER: The entity placing the building  
integrated cell module is not subject to the requirements



1 of electrical inspection, licensing and certification so  
2 long as the work is limited to the placement and securing  
3 of the device and an electrical permit has been previously  
4 obtained for the work related to the equipment. All  
5 electrical work includes the wiring, termination, et  
6 cetera, necessary to complete it.

7 So that's kind of our stop-gap language is that that  
8 electrician when they start stapling up wires, routing  
9 wires, connecting wires, then that's when that electrician  
10 has to be there.

11 BOARD MEMBER BAKER: But not necessarily doing that  
12 work.

13 SECRETARY FULLER: When they're placing?

14 BOARD MEMBER BAKER: Yeah.

15 SECRETARY FULLER: No. But they have to have the  
16 permit in place.

17 BOARD MEMBER BAKER: The inspection process?

18 SECRETARY FULLER: Well, if it's covered, somebody  
19 has a problem. And it won't be the electrical contractor  
20 because they didn't cover. I mean, things are still going  
21 to have to be visible for inspection. So they're not  
22 going to be able to bury things.

23 BOARD MEMBER BAKER: But the citation's going to go  
24 to the electric contractor because --

25 SECRETARY FULLER: No.

1           BOARD MEMBER BAKER:  -- he's the one that pulled the  
2 permit, right?

3           SECRETARY FULLER:  No.  We never do that.  If a  
4 drywaller covers, the drywaller gets the cover citation.  
5 Unless we determine that the electrical said, "Go for it."  
6 I mean, we do -- that's a routine.  We just do that all  
7 the time.  Generals gets citations for covering ditches  
8 all the time.

9           CHAIRWOMAN PREZEAU:  Rod, you wanted to weigh in on  
10 this?

11          BOARD MEMBER BELISLE:  Well, I guess -- I was just  
12 kind of thinking through this as well on like a  
13 building-integrated roof.  So if a roofing contractor  
14 installs the building-integrated panels on the roof but  
15 has never taken out a permit -- an electrical permit or  
16 never hired a contractor to take out an electrical permit,  
17 that wouldn't be likely identified by the building  
18 inspector doing a roof inspection, per se.  And so six  
19 months later when they call Rocky or Don to come do this  
20 job, at that point that's when a citation would be issued  
21 to the roofing contractor?

22          SECRETARY FULLER:  Yes, to the roofing contractor.

23          BOARD MEMBER BELISLE:  And then it's up to their  
24 electrical contractor whether they want to assume the job  
25 based on what they can see?

1           SECRETARY FULLER: Right, right. Because they  
2 wouldn't get a ticket for no permit. They'd get a ticket  
3 for violating this rule.

4           BOARD MEMBER BELISLE: Right. And there's no link  
5 between the electrical department and the building  
6 department, per se, to flag that to notify you --

7           SECRETARY FULLER: No, no.

8           I mean, that's when it gets important for the  
9 electrical contractors to be working with us on that  
10 compliance because we want the permit purchased day one.

11          CHAIRWOMAN PREZEAU: This whole solar photovoltaic  
12 piece is -- it's challenging. I mean, there's some of  
13 these things -- the next thing that I'm thinking about is  
14 now there's coatings where they spray this stuff on walls  
15 which isn't even structural in nature. Right?

16          SECRETARY FULLER: Uh-huh. That's the latest one.

17          CHAIRWOMAN PREZEAU: So is that to be considered  
18 integrated? Or not? Can I argue that it may be -- it's  
19 going to be the, you know, finished coat of the -- so it's  
20 aesthetics and also has this function?

21          SECRETARY FULLER: That will be building integrated.  
22 But I haven't seen one yet to know exactly how they do  
23 that. But there has to be a wire connected to that paint  
24 somewhere.

25          CHAIRWOMAN PREZEAU: I know.

1 SECRETARY FULLER: And that's going to be done by an  
2 electrician.

3 CHAIRWOMAN PREZEAU: Cathy.

4 BOARD MEMBER BRIGHT: I'm interested to know what  
5 kind of like outreach program you would have to -- I mean,  
6 beyond just the standard notification that there's been a  
7 rule change. Because it seems to me that under these  
8 circumstances with these types of products, this is  
9 something this is not going to be particularly familiar to  
10 your building inspectors and your general contractors to  
11 know that there's -- this is the requirement.

12 SECRETARY FULLER: The building officials are very  
13 aware of this.

14 BOARD MEMBER BRIGHT: Of this change?

15 SECRETARY FULLER: The State Building Code Council's  
16 very aware of this change and support it. And general  
17 contractors are very aware of it and support it. Because  
18 they don't want typically electrical contractors putting  
19 roofing on. They've got warranty problems with that,  
20 experience problems. I mean, electricians are not  
21 roofers. Roofers are not electricians. So it's a split  
22 of work again.

23 BOARD MEMBER BRIGHT: So it is fairly well known in  
24 the industry already?

25 SECRETARY FULLER: Yes. Yeah, yeah. But to really

1     answer your request, we'll do our typical communication  
2     which is everybody electrical's going to know for sure.  
3     And we'll be outreaching to the general contracting  
4     associations to let them know too.

5             BOARD MEMBER BRIGHT: I'm just thinking of like, you  
6     know, with suppliers and such like a little brochure that  
7     says what the regulations are relating to this product. I  
8     mean, not that you would require anybody to display  
9     something like that, but make it available which would  
10    kind of be --

11            SECRETARY FULLER: They won't display it.

12            BOARD MEMBER BRIGHT: Then there's that.

13            SECRETARY FULLER: Suppliers are typically interested  
14    in selling products, not introducing regulation.

15            Okay. So anyway, that's what this one's all about.  
16    It's a split-trade type of an installation again. This is  
17    our first step toward clarifying what the rules are and I  
18    think making it reasonable for all the people involved in  
19    it.

20            Okay. 800. This one is the replacement for that old  
21    300 section that we struck out. What this says is  
22    chapters 1 through 7 in the NEC supplement and modify the  
23    requirements of chapter 8. If there are requirements or  
24    exceptions described in chapter 8 that are different from  
25    those in 1 through 7, chapter 8 will prevail.

1           So if it tells you in chapter 8 you don't have to  
2     ground something, you don't have to ground it. But if  
3     it's silent, then you have to do something about it.

4           The code's got a real problem here because of things  
5     -- little things like ditch cover. Chapter 3 has ditch  
6     cover. Chapter 8 doesn't. So this would let you -- if  
7     you don't have this kind of language to fix the NEC, it  
8     will let you lay the telecom wires in the earth a half  
9     inch deep. That's really not acceptable to anybody. It  
10    gets all the grounding and bonding requirements back into  
11    place that are there for all circuits. It just does a lot  
12    of clean-up. But it made more sense to put this here than  
13    it did back in chapter 3.

14          A lot of the telecom guys weren't seeing it there.  
15    So they ignoring it, getting a lot of corrections, having  
16    a lot of problems after the fact basically. Because  
17    chapter 8 when you read it exempts all the other sections  
18    of the NEC, and that's just wrong because you can't exempt  
19    from a lot of those physical requirements that are there.  
20    Following the manufacturer's instructions, for instance,  
21    is in chapter 1. Well, chapter 8 doesn't include chapter  
22    1. Do you want them to follow the manufacturer's  
23    instructions? Absolutely. So this closes that problem  
24    that the NEC has. So I would look for this one to  
25    probably be fixed pretty soon in the NEC, though.

1           BOARD MEMBER TURNER: I've got a question. And I've  
2 read this thing numerous times, and I keep coming up with  
3 the same sort of thing. If you look in 90.3, which is the  
4 preface to the NEC, it talks about chapter 8 as being  
5 separate from 1 through 7. And it says that things in 1  
6 through 7 do not apply to 8 unless they are specifically  
7 referenced. So if in chapter 8 it says something in  
8 chapter 3 or whatever applies, then it applies to 8. But  
9 if it's not specifically referenced, then like you stated,  
10 it -- the way the code is written, it does not apply. To  
11 me it sounds like we're turning that inside out and we're  
12 talking about exemptions. But I'm not sure that there's  
13 anything in chapter 8 that says you don't have to do this  
14 because the way the code is written, it's -- here's only  
15 the things you have to do. Do you see what I'm saying?

16           SECRETARY FULLER: That's the problem. It only tells  
17 you what in chapter 8 applies. And it doesn't talk about  
18 manufacturer's instructions. It doesn't talk about  
19 labeling. It doesn't talk about burial depths or any of  
20 those other kinds of things that are absolutely necessary  
21 to a good installation.

22           BOARD MEMBER TURNER: And I guess my question is, Are  
23 we -- are there some, again, unintended consequences here?  
24 And I'll give you sort of an off-the-wall example.

25           Going back to POE, network cabling has eight

1       conductors. A typical network cable has eight conductors.  
2       Four of them are used for data transmission, and four of  
3       them are used for power. And two of them are parallel and  
4       two others are parallel. Well, chapter 1 through 7 says  
5       you can't parallel conductors smaller than, you know, one  
6       aught. And obviously it's not one aught. So are we -- I  
7       mean, that's sort of a ridiculous example. But it's an  
8       example maybe that we're --

9                SECRETARY FULLER: That's where I think you -- I  
10       don't think you have a problem with that particular  
11       example because of the cable designations in chapter 8. I  
12       think it allows that probably.

13               BOARD MEMBER TURNER: Okay. And so, you know, taking  
14       that same example, again, it says that if we have four  
15       current carrying conductors in a conduit, we have to  
16       derate them. Well, there's nothing to derate a Cat6  
17       cable. So I don't know. Just to me, it seems like a word  
18       of caution there that we're not bringing in a lot of  
19       things that we really don't want.

20               CHAIRWOMAN PREZEAU: And can I offer -- and Ron,  
21       correct me if I'm wrong, but you did point out in the  
22       beginning that this is not a finished draft. Right?

23               SECRETARY FULLER: Pretty finished.

24               CHAIRWOMAN PREZEAU: I mean, it's -- yes. But it's  
25       not -- there will be some -- I mean, at least -- maybe



1     some of the -- this is not -- what I'm trying to say is  
2     when this Board meeting concludes, that doesn't mean that  
3     that's the end of your ability to interact with Ron and  
4     sort of further discuss things that you may or may not be  
5     comfortable with.

6           SECRETARY FULLER: That's true. Because what I  
7     always look for from the Board is a recommendation of  
8     concept basically. Because we're always going to -- I  
9     mean, we're going to find typos for 15 years on this  
10    document. It's just the way it works because you won't  
11    find them all. You can edit anything continually for the  
12    rest of your life. So --

13          CHAIRWOMAN PREZEAU: So I just want -- so if there  
14    are certain things that you're not completely satisfied  
15    with, just know that at the end of today, that doesn't  
16    mean that you have relinquished your ability to continue  
17    to refine.

18          SECRETARY FULLER: Yeah.

19          What I would respond to you, Bruce, with too is that  
20    this is our first attempt. So are there going to be  
21    problems? Yes, there's going to be problems. What do you  
22    do about that? Well, you change it the next time. And  
23    you change policy in between when you find out you've  
24    messed it up.

25          BOARD MEMBER TURNER: And I guess my purpose in

1 bringing it up was just to say that when we do things like  
2 this -- and I know it's not always possible, but to try to  
3 think about what may get interpreted, what's unintended.  
4 Because when you say, you know, just take 1 through 7,  
5 that's pretty sweeping, throw it into 8.

6 SECRETARY FULLER: And I thought about -- I actually  
7 put a lot of thought into going out and picking out the  
8 things that I thought was important, and that was just --  
9 would have been like the overwhelming list.

10 BOARD MEMBER TURNER: True. I'm curious. You said  
11 that you were -- you were with the NFPA group.

12 SECRETARY FULLER: Larry was.

13 BOARD MEMBER TURNER: Larry was, okay.

14 Was there discussion about changing like 90.3 where  
15 it talks about, you know, only bringing in parts of 7  
16 where it's referenced?

17 MR. VANCE: The discussion kind of revolved around --  
18 (inaudible). It appears that they're going to split up.  
19 These -- (inaudible) -- these cables that take more data  
20 and power transmission away from pure communications,  
21 that's built into chapter 8. So they're going to --  
22 they're unnamed chapters at this point -- or unnamed  
23 articles at this point. But that's the direction that  
24 they're going. They're going to separate them.

25 BOARD MEMBER TURNER: So 2014 may have a power or

1 ethernet article? Is that what you're saying?

2 MR. VANCE: It's very likely. It may not be called  
3 that, but it will be addressing that, yeah.

4 SECRETARY FULLER: So kind of back up to the comment  
5 over here about we're not keeping up, we're probably  
6 actually on the cutting edge here. But sometimes you get  
7 nicked a little bit when you're on the cutting edge too.

8 Okay. We're in plan review now, page 43. You're  
9 going to see quite a few definitions of treatment  
10 facilities and things like that that are changed. All  
11 that's due to us aligning with Department of Health  
12 definitions. So there's quite a few changes in there on  
13 that kind of stuff.

14 Day-care facilities, same kind of thing.

15 Okay. So the first thing of interest for you really  
16 is on page 44 is that we're going to expand the permit or  
17 plan review exemption to include lighting circuits not  
18 exceeding 277 volts to ground. Because what we found is  
19 we were still getting a lot of requests for plan review  
20 for really insignificant lighting changes. So just an  
21 expansion of the exemption so that we don't get those  
22 reviews in here to work on.

23 This next one on page 45 is heating -- exempts  
24 heating and cooling specific retro projects that result in  
25 electrical load reduction on each existing feeder involved

1 in the project provided there is not a corresponding  
2 increase in the available fault current in any feeder.  
3 Existing and new load calculations must be provided to the  
4 inspector at the time of the inspection.

5 So what this is about in general is replacing low  
6 efficiency with high efficiency HVAC units. Sometimes  
7 that increases fault current levels significantly. So we  
8 still want to look at that, but not just -- in general, we  
9 don't want to look at them anymore. Because they're a  
10 load reduction. Plan review is really meant to be about  
11 load, not anything else.

12 This next strike-out on page 46 is about the plan  
13 review fees. So taking this language out says that we  
14 will get our fees up-front basically and that they'll be  
15 calculated based on the plans we received.

16 So plan review supervisor went around the state and  
17 did four or five presentations to engineers. And all  
18 these plan review changes were really pretty well  
19 accepted. Some guys' lights even went on that it might  
20 give them a way to ask for more money up-front too, like  
21 we are. Sometimes they get paid at the end of their job  
22 too. So pretty well received I think altogether.

23 CHAIRWOMAN PREZEAU: Bruce, did you participate in  
24 those?

25 BOARD MEMBER TURNER: Yes. And it was a good

1 discussion.

2 SECRETARY FULLER: Okay. Permits and fees.

3 This first one says that a valid electrical work  
4 permit is obtained and posted per section (5) before the  
5 work starts. So this takes out the language that says  
6 they have to be completely and legibly filled out and  
7 available. We really don't care about the paper copies on  
8 the job site; that's strictly for the owner's use. If  
9 they leave them, we'll sign them. But it's not really  
10 necessary for our job. And quite frankly, it'll clean up  
11 some of our quality control with inspectors that want to  
12 write a citation that's on the last inspection because the  
13 paper copy isn't there anymore. We don't want people  
14 doing that kind of stuff. So no paper copies required  
15 anymore.

16 Except as allowed for annual permits, electric  
17 permit's valid only for one specific job site. The reason  
18 for this change is that I have begun allowing annuals to  
19 be used on multiple job site locations. A good example is  
20 in Pierce County, their water district there has twenty  
21 some odd pumping stations. There's not much in them other  
22 than a light and a plug and a pump and a controller. But  
23 they didn't -- they couldn't afford to spend the \$1,000  
24 per pump station, so we allowed them to group several  
25 together. We wound up selling them three annuals for the

1 county instead of 20. It's just better business practice.

2 School districts, same kind of thing. A lot of  
3 times, they'll buy one annual for the entire school  
4 district because they're really just doing primarily  
5 maintenance stuff. So it's just a good tool for them.  
6 And a good tool for us because it does keep us in their  
7 places of business. So this will just codify what I've  
8 been doing in policy.

9 A strike out on this number (3) here saying, again,  
10 that the electrical permit must be posted. We don't  
11 really care if it's posted.

12 Responsibility.

13 CHAIRWOMAN PREZEAU: Ron, I'm just going to ask a  
14 stupid question.

15 SECRETARY FULLER: Sure.

16 CHAIRWOMAN PREZEAU: Because if the Ecore inspector  
17 or an inspector comes across a job site with electricians  
18 working on it, they have the ability -- and there's no  
19 printed posted, they have the -- the inspector has the  
20 ability to electronically whether or not there's been a  
21 permit --

22 SECRETARY FULLER: Yes. And there's some other stuff  
23 here too in a minute that we'll get to on that.

24 Okay. On the new paragraph (3) -- (4). I think  
25 that's a typo. Okay. When the original purchaser is

1 replaced by another entity -- another entity may in  
2 writing -- may request in writing a written approval from  
3 the chief to take responsibility for the work of the  
4 originating installer under the original permit. If  
5 permission is not granted, the entity must obtain a new  
6 permit.

7 So a lot of people that go bankrupt, a lot of people  
8 that have angry customers and fire them, depending upon  
9 the status of the job, this gives me the ability to say,  
10 "Okay, I'll let you use the original permit" or "No, it  
11 may be too far along for that; we need to do another  
12 permit." So it gives me some options there rather than  
13 forcing a second permit like we have to do now. So this  
14 will be beneficial for those kinds of jobs.

15 Two entities -- clarifying that two entities may  
16 never work under the same permit. We've never ever  
17 allowed that. You buy a permit for the work you do. So  
18 one job, one permit, one entity.

19 Except for Class B permits where the permit is  
20 required and the work permit must be obtained and posted  
21 at the job site or the electrical work permit number must  
22 be conspicuously posted and identified -- so this is your  
23 question. Because they can still post the permit or they  
24 can just put the number up for us. One of the two. We  
25 really only care about the number. Because that makes our

1 search in the computer real easy.

2 So we're saying that has to happen at the electrical  
3 service or feeder panel location prior to beginning the  
4 work, and it needs to be there at all times until the  
5 inspection process is completed.

6 So this is my compliance component again. Lets my  
7 guys do their job.

8 Took out the "posted" language here again.

9 Took out the Class B work.

10 This language in here is all about cities because  
11 they don't have the Class B process or provisionals  
12 typically. There's none of them that use those right now.

13 So this is a big one right here in paragraph -- the  
14 new (7). This is the permit exempt list. So before, it  
15 said a lamp, a fuse, a whatever. There was a lot of "A"s  
16 in there. That's singular. So that's been confusing for  
17 contractors. So we had proposed to loosen this up and  
18 allow some multiple replacements. And one of the external  
19 proposals also went a little farther than we did, so we  
20 kind of compromised in the middle. So we're saying now  
21 that you can replace all the lamps that you want. You can  
22 replace a single set of fuses. You can replace a single  
23 battery smaller than 150 amp hours. So that's a car  
24 battery basically. But if you replace multiple batteries,  
25 then that's a no go for exempt. You can replace all the



1     contacters, timers, relays, circuit boards, all these  
2     "S"s, one household appliance, all the circuit breakers  
3     you want, all the single family residential luminaires you  
4     want up to five snap switches, dimmers, receptacle  
5     outlets, thermostats, heating elements, luminaire ballasts  
6     with the exact same ballast. You can replace components  
7     in electrical signs. So you got a five limit on all that  
8     stuff in the middle here. And the rest of it stayed the  
9     same basically. And we have a clarifying definition in  
10    here that for this section, "circuit breaker" means branch  
11    circuit breaker, not service breaker.

12           CHAIRWOMAN PREZEAU: Yeah, you don't get the whole  
13    panel. They don't get the main breaker.

14           SECRETARY FULLER: Yeah, you don't get to replace the  
15    main bad boy in the system without an inspection.

16           So all the branch circuits, you can -- that's what  
17    this does. Branch circuits only.

18           Okay. So the TAC actually -- we spent a lot of time  
19    on this one at the TAC meeting, probably close to an hour  
20    I bet, hammered out the result of it. And I think it's  
21    good, especially when you tie it with what you're going to  
22    see with the Class B's in a little bit. A good compromise  
23    there.

24           Okay. Now we're down to page 50. This proposal in  
25    paragraph (c) here came from one of the external

1     proponents. And it's a good proposal I think because we  
2     already exempt all these things from licensing and  
3     certification, but we didn't exempt them technically from  
4     permits. In practice we never ask for a permit from them  
5     because it clarifies that we don't permit these kind of  
6     jobs. Thermocouples and vacuum cleaners and low-voltage  
7     underground sprinklers and things. So there's some  
8     requirements that go with that. So it just matches what  
9     we have in licensing already.

10        I need to take that one -- Larry, do you remember why  
11     we took that paragraph (c) out?

12        CHAIRWOMAN PREZEAU: It says "Already covered in  
13     (10)(a). Submitted by the department.

14        SECRETARY FULLER: Oh, okay. I don't have the  
15     comments on here because it makes it easier to read on the  
16     screen.

17        Okay. Final inspections will not be made until after  
18     all permit fees are paid. That's our practice now.

19        Actually, that's not our practice now. Right now, if  
20     you owe a fee, we will not go do another inspection until  
21     you've paid your fees. If we do a fee due on the first  
22     trip, that's all stopped until that fee's paid. So we've  
23     decided it is actually maybe better just to wait until the  
24     end and collect all the fees in one pop rather than get a  
25     check for every inspection because we keep finding new

1 work that's not on the permit.

2 Okay. Permit duration. Permits will expire one year  
3 after the date of purchase unless permission is granted by  
4 the chief or when the permit is closed or completed by the  
5 inspector.

6 We've had -- we had two cases actually where they got  
7 a good lawyer, and they said, "My permit's not closed. My  
8 permit's not closed because it's within one year." We had  
9 one literally in the 11th month, and the contractor had  
10 gone back to add multiple new circuits and did apply it to  
11 the original permit on the house. We caught them, said,  
12 "Hey, you have no permit. That permit's expired." And  
13 they made the argument because it's within one year of the  
14 last inspection, it's still valid. That's -- I mean, you  
15 could keep on going for the rest of your life like that.  
16 That's not the intent. So this will close that. When we  
17 sign it off, it's done; it's going to be done now. We  
18 refrained from issuing those citations because if  
19 somebody's smart enough to do it, then we've been letting  
20 them do it. So this is really a critical change for us  
21 here.

22 Electrical permit fee items within the department's  
23 jurisdiction. This is refunds are not available for  
24 expired permits obviously. The electrical work permit fee  
25 items within the department's jurisdiction where the work

1 had begun or an inspection has been requested for that  
2 work, and the first \$25 is an application fee not  
3 refundable.

4 So what this does actually is lets us refund on a fee  
5 line item basis. Because with the old language, you could  
6 have a \$1,000 permit, and you've only done work on one fee  
7 line item for \$100, and you didn't get any of it back. So  
8 this lets us say, "Okay, you don't get the \$100 back, but  
9 you do get the \$900 back." So it's really an important  
10 change for the customers. And you have to make the  
11 request using the form. People send in napkins basically  
12 wanting their fee request. We actually have a form that  
13 we have to use for that -- we need to use for that.

14 Okay. This ties in again with the annuals, lets them  
15 use annuals on multiple job sites with approval.

16 Number (13) is -- oh, that's telecom. This is  
17 electrical permits. This section right here, we changed  
18 the title of this a little bit because there's been --  
19 we've had some problems with general contractors that are  
20 not doing construction projects, saying they're putting  
21 temporaries in when, in fact, they're putting RV's and  
22 mobile home pedestals and things like that in. They don't  
23 really have a job site there, and they're trying to use  
24 that exemption as a way around the licensing. So this  
25 just clarifies the title; it doesn't change the content

1     that we're talking about temporaries for construction  
2     projects.

3             Posting of corrections. This is a pretty significant  
4     policy change for us. What it says is if we write a  
5     correction, it must be corrected within 15 calendar days,  
6     which is what we've always had on our correction notices.  
7     The big change here is that we're going to post them  
8     electronically on electrical permits that are purchased  
9     electronically. And permits purchased across the counter,  
10    we'll post a paper copy. Because anybody that buys  
11    on-line can see all their corrections on-line now. So  
12    this actually lets them see the correction without having  
13    to go to the job site necessarily. So there will be a --  
14    well, I don't know how many pieces of paper it will save  
15    us printing, but it'll be a lot every year that we won't  
16    have to print. So that only applies for electronically  
17    purchased permits, though.

18            CHAIRWOMAN PREZEAU: It's the vast majority.

19            SECRETARY FULLER: 99 percent for contractors.

20            CHAIRWOMAN PREZEAU: Yeah, yeah.

21            SECRETARY FULLER: And homeowners can see them  
22    on-line too. If they buy on-line, they can see their  
23    corrections on-line too. So that's a big cost saving  
24    thing for us there.

25            Okay, we're in the engineering approval section now

1 on page 54. We took out the requirement for a final  
2 approval report. We don't really care about the report.  
3 We just care about the label that they install when  
4 they're done with their evaluation.

5 This equipment list, when we first started doing  
6 industrial equipment reviews, the Department was doing  
7 those reviews, so we had the Department language in there.  
8 And we're keeping an equipment list that had been prior  
9 approved. So wind turbine, if you go look at model A1,  
10 once you've looked at A1, you kind of know what A1's all  
11 about because it's going to show up again somewhere. So  
12 we had a list that people -- it actually helped people  
13 purchase because then they knew they were going to have a  
14 cheaper evaluation. Then all you had to look at was the  
15 job site issue. Did it arrive unscathed? Is it installed  
16 according to instruction? So this will -- this just moves  
17 that list to the reviewing engineer's category instead of  
18 hours. We haven't had a list in the Department in a long  
19 time.

20 Okay. Fees we're not changing.

21 Okay. Right in here on page 64, there's some plan  
22 review language that changes. All it does is just break  
23 up the plan review and so it's a little easier to read.  
24 Fees are still the same, though.

25 Okay. Provisionals, section 907. This is one where

1 we had all this language in here telling them what to do.  
2 But all we really needed to say was completely fill the  
3 dang thing out. That's all we really need to say. We  
4 don't need to tell them to put all those bits and pieces  
5 in. So I've saving a quarter of a page.

6 CHAIRWOMAN PREZEAU: It's just so important when you  
7 have 155 pages. Oh, was that my out-loud voice? Sorry.

8 SECRETARY FULLER: We've gone from about 350 pages to  
9 140 in the last 12 years. So I won't let you get away  
10 with that one. Three rules -- one rule instead of three.

11 Okay. I struck this out because it's already under  
12 requirement for returning the labels already stated up  
13 here in this section.

14 Class B's. Lots of changes in Class B. So this is  
15 the one where I was talking about a day earlier. Right  
16 now we've got December 31st in here.

17 What this first part does is just take care of -- get  
18 rid of some unnecessary language and stuff. It also lets  
19 places like health care facilities and commercial  
20 industrial facilities using an electrician buy Class B  
21 books and use them. Again, and each entity must provide  
22 their own labels.

23 This paragraph right in here, though, is a huge  
24 change for us. Because what our intent is is that we're  
25 going to go from two labels to one label actually. And

1     they'll treat it more like a provisional in that they'll  
2     post the label or post the number out there. We're  
3     working on the computer process right now to let the  
4     contractor fill in what used to be the Department's copy  
5     of the label on-line and basically have an instantaneous  
6     permit again. Because they'll have purchased the number,  
7     but they won't have given us the site documentation. So  
8     they'll be doing it on-line. And then they'll either be  
9     posting again the label or the number on the job, and  
10    that'll be the electrician's responsibility to do that.

11         So we'll still -- I have to still have paragraph (b)  
12    here because I've still got thousands of labels out there  
13    that I can't do under the new system because I can't  
14    change my system to allow them to be filled in manually.  
15    That's just the way IS works. So eventually that section  
16    will probably go away. But it might be ten years from  
17    now; I don't know. When we start seeing none of them show  
18    up anymore, then we'll know we've run out out there.

19         CHAIRWOMAN PREZEAU: Ron, just some clarification.  
20    All of these changes went to the Technical Advisory  
21    Committee or just --

22         SECRETARY FULLER: Yes. All these did, yes.

23         The only things that they didn't see were some of the  
24    CEU stuff that you guys have seen recently.

25         So this is a big change. It should help them a lot.



1 It should help us a lot too.

2 So took out all this stuff about filling in the  
3 blanks, et cetera, again.

4 Class B's have always been nonrefundable. So this is  
5 really not new here. And we don't let people transfer  
6 them either. This is especially important with the new  
7 method because if Don buys a pack of books, those 20  
8 numbers are going to be assigned to his company, and we  
9 won't be able to go back and shift them around and monkey  
10 with them like we would a paper permit.

11 So all these all other strike-outs and that tie in  
12 with that process again.

13 Okay. So when we get to paragraph (7) here again,  
14 there start to be some changes on what's allowed in  
15 Class B.

16 So a separate label is required for each line item  
17 listed below in section (10). For example, if the work  
18 includes (10)(a) and (10)(b)(i), then two labels are  
19 required. There's been a lot of confusion about that.  
20 The intent really all along was each line is a separate  
21 type of job.

22 Paragraph (8) is an entity using a Class B inspection  
23 label is restricted to using no more than two labels per  
24 week per job site. That's just a relocation from the  
25 existing rule.

1           Number (9) is all work must be completed within 15  
2   days after the label is validated. If the work is not  
3   completed, another Class B may be posted.

4           So again, the intent with Class B's was if they are  
5   quick, three-wire jobs basically, put the label on, do the  
6   work, leave, be done with it. It wasn't intended really  
7   for the big jobs.

8           So we've got an exception in there for one- and  
9   two-family dwellings that lets them go 90 days. And the  
10   reason for that is most Class B's are thermostats. And  
11   you place the furnace -- the thermostat itself may not be  
12   installed for a couple of months until the house is  
13   finished off. So this lets them install the cable, do the  
14   connection to the furnace, come back later and stick the  
15   thermostat on the wall with one label.

16          We've talked to them about that. And I specifically  
17   asked that question at the TAC. Is this enough? Because  
18   we had a significant HVAC contractor there. Same with  
19   security. And both of them said 90 days should be enough  
20   time.

21          Number (10), this is the what's included list. We  
22   took out the single luminaire not exceeding 277, 20 amps,  
23   and moved that down.

24          Added heat pump to the -- along with HVAC units.  
25   We've always treated them the same. We've answered a lot

1 of questions from HVAC contractors about, "Can I use a  
2 Class B for a heat pump?"

3 And we've said, "Yeah, it looks like an air  
4 conditioner to me."

5 So this just clarifies that for them.

6 We also had some input from the HVAC industry saying  
7 they wanted to raise the amperage level up to 40 amps.  
8 There was one external proposal actually that wanted 60  
9 amps, but the TAC voted that one down 20 to 0. So they  
10 weren't in support of that. But they did support this  
11 one.

12 Okay. Low voltage and telecom. Added clarification  
13 requirement in that Class B's have to be used when there's  
14 less than 20 devices or less than 5,000 square feet.

15 So, again, we didn't want it to be the intent to be  
16 able to wire this building with a Class B and do all the  
17 intercom work on it. So they have to go buy a regular  
18 permit. The same with telecom.

19 Okay. Now, paragraph (f) here is pretty substantial  
20 stuff too. It allows the like-in-kind replacement -- I  
21 wish Jim was still here because he just wanted this one  
22 forever -- like-in-kind replacement of up to 20 paddle  
23 fans, luminaires -- again, not exceeding 277 volts, snap  
24 switches, dimmers, receptacles, thermostats, heating  
25 elements, ballasts, circuit breakers, contactors, relays.

1           So this gets you beyond that Class A list that's  
2       exempt but still has some limitations on Class B's, but  
3       doesn't let you redo this whole building basically with  
4       new ballasts, but it will let you do 20 until you stop.

5           BOARD MEMBER BELISLE: Does there need to be any kind  
6       of clarification for circuit breakers in this case?  
7       Branch circuit breakers or -- does that include main  
8       circuit breakers?

9           SECRETARY FULLER: That's a good point. I like that.

10          Okay. So anyway, up to 20 of those things,  
11       replacement of not more than two luminaires with paddle  
12       fans if the listed fan box has been previously installed.  
13       Say, take a light fixture out, put a paddle fan up. Two  
14       in one job.

15          The replacement of not more than four batteries not  
16       larger than 150 amp hours in a single unit of equipment.  
17       So you got a UPS system with 100 batteries in it. You got  
18       three that are bad. You can use a Class B and go on your  
19       way. If you've got five, then you're going to need to buy  
20       a regular permit and get it inspected. Because then  
21       you're disconnecting/reconnecting too many.

22          CHAIRWOMAN PREZEAU: Ron, I want to go back just a  
23       hair. There's a statement in here on page 70, line 6  
24       which is really number (8). "An entity using a Class B  
25       basic inspection label is restricted to using no more than

1 two labels per week per job site." Is that adequate  
2 enough to make sure that -- I mean, obviously the intent  
3 here is you don't get to do -- you don't get to trim this  
4 building or replace -- you don't get to replace, do a  
5 full-scale lighting retrofit in this building of Class B.

6 But if it was the pace of the job was slow enough --

7 SECRETARY FULLER: I know totally where you're at.  
8 So let me go back down here, keeping that in mind that  
9 time. When it says you can replace up to 20 paddle fans,  
10 if you put two labels up, you can do 40. But only in a  
11 week. And then you got a wait a week before you do  
12 another 40.

13 CHAIRWOMAN PREZEAU: So technically you could do an  
14 entire lighting retrofit of this building if the pace of  
15 the construction --

16 SECRETARY FULLER: If it was slow enough, you could.  
17 You could.

18 Well, no, you couldn't because --

19 CHAIRWOMAN PREZEAU: I mean, it almost --

20 SECRETARY FULLER: Well, lighting --

21 CHAIRWOMAN PREZEAU: -- feels like --

22 SECRETARY FULLER: -- retrofit, you could.

23 CHAIRWOMAN PREZEAU: -- a -- your mind is being  
24 too --

25 SECRETARY FULLER: We haven't had an issue. That's

1     why the last cycle we put that two per job per week in  
2     because we were having a problem. I mean, we'd show up  
3     and there'd be 20 Class B's stuck up on a -- I mean,  
4     they'd cover a panelboard with them. So we did that. And  
5     since then, we really haven't had an issue to speak of.

6           CHAIRWOMAN PREZEAU: Yeah. I'm just wondering with  
7     like now the ability of putting in 20 lights, replacing 20  
8     lights, maybe we're going to see that rear its head again.

9  
10          SECRETARY FULLER: I don't know. I don't know. If  
11     we do, it will be back on the table again.

12          Okay. So we got batteries and --

13          BOARD MEMBER GUILLOT: Madam Chairman, is it the  
14     intent to go through this entire book before lunch?

15          SECRETARY FULLER: Absolutely. No. We can stop  
16     here. Why don't we stop -- do you want to stop after  
17     Class B's?

18          CHAIRWOMAN PREZEAU: Well, here's the thing. So I  
19     was waiting for somebody to actually say something. But  
20     the reality is that it's not wise to break for lunch in  
21     this building at noon because of using the cafeteria.

22          SECRETARY FULLER: It's 12:30, though. So we'll be  
23     fine.

24          CHAIRWOMAN PREZEAU: So what I would suggest is --  
25     how much more of Class B do we have?

1 SECRETARY FULLER: We're just about done.

2 CHAIRWOMAN PREZEAU: So I would like us to finish  
3 this piece, and then we'll --

4 BOARD MEMBER GUILLOT: That works.

5 CHAIRWOMAN PREZEAU: Because Milton probably is  
6 getting -- maxing out his --

7 For the record -- let the record reflect that it was  
8 a lineman that said he needed a break.

9 BOARD MEMBER GUILLOT: Let the record also reflect  
10 that the Chairman brought her damn lunch.

11 BOARD MEMBER NORD: And started at 9:30.

12 BOARD MEMBER BRIGHT: And ate in front of all of us.

13 SECRETARY FULLER: Okay. Back on track so we can get  
14 Don off to lunch.

15 Okay. This paragraph (i) is a new one also. It lets  
16 installers use Class B's for stand-alone PV systems with  
17 some requirements. Basically there's no field assembly  
18 except for the attachment and connection of the panels to  
19 the equipment. If they're on a pad, that they're less  
20 than 15 volts DC, they don't have any external power, and  
21 they're appropriately labeled as a single unit.

22 So what this is for is school road crossing signs and  
23 those kinds of things that we don't really need to inspect  
24 most of them because the only thing the installer really  
25 has to do is put them together usually, and this lets them

1 do that. So it just makes sense to us let the Class B  
2 suffice.

3 And then this was where we had the other language  
4 before where we moved it up that you were talking about,  
5 Tracy.

6 And that's the end of Class B's.

7 CHAIRWOMAN PREZEAU: All right. So how long do we  
8 need for lunch?

9 BOARD MEMBER BRIGHT: How much more do we have of the  
10 presentation?

11 CHAIRWOMAN PREZEAU: Yeah, Ron, how much longer do  
12 you think that we have with the WAC rules?

13 SECRETARY FULLER: We're about -- I think we'll go a  
14 lot faster. There's about as much stuff, but it's not  
15 code kind of things; it's more about procedures. Except  
16 the only thing that's maybe going to take some time with  
17 the Board is the CEU stuff. The rest of it is going to go  
18 really quick I think. So hour and a half maybe. Maybe.  
19 Maybe less. No more than that I think.

20 CHAIRWOMAN PREZEAU: So how long do we need for  
21 lunch?

22 BOARD MEMBER: A half hour.

23 CHAIRWOMAN PREZEAU: That's what I'm thinking is 30  
24 minutes. So we'll be back at 1:00. Great. Back at 1:00.

25 ///



1 (Lunch recess.)

2  
3 Item 9. Harder Electric - Fire Certification  
4 Requirements by Local Jurisdictions (NICET)

5  
6 CHAIRWOMAN PREZEAU: We are back on the record.

7 And I am going to take the privilege of the Chair and  
8 ask that we suspend temporarily the review of the WAC  
9 rules and go to agenda item number 9, which is Harder  
10 Electric.

11 There is a representative who I met at the break but  
12 did not discuss the issue off the record. So I would  
13 welcome --

14 MR. HERMAN: Dennis Herman.

15 CHAIRWOMAN PREZEAU: -- Dennis Herman.

16 And Dennis, I do want to say this. I don't think you  
17 -- go ahead and have a seat, if you please. You were not  
18 present when this issue was brought up to the Board  
19 previously I think in January.

20 MR. HERMAN: I was present.

21 CHAIRWOMAN PREZEAU: You were here. But you were  
22 part of the two people -- I can't remember if you --

23 MR. HERMAN: Yes. I didn't sit here. But Henry  
24 Harder sat here. It was actually probably H & H  
25 Electronics, which I believe stands for Henry Harder and

1 Herman.

2 CHAIRWOMAN PREZEAU: So I just want to point out to  
3 the new Board members. This is -- we've had this issue  
4 come before the Board previously. And there's a little  
5 bit of -- and it's regarding what Ron addressed in the WAC  
6 rule proposal post change earlier about passive testing  
7 and cities and other authorities having jurisdiction  
8 requiring certifications in addition to what's required  
9 under 19.28. So we have talked to him before.

10 One of our recommendations previously was to engage  
11 in the -- knowing that the rules were scheduled for  
12 revision was to convey through this process. And also I  
13 want the record to reflect that currently Harder Electric  
14 does not have any formal petitions in front of the Board  
15 to look at this issue. Because what we don't want to have  
16 happen is to engage in a discussion that potentially  
17 prejudices the Board should there be a more formal  
18 petition to review Department interpretation, if that  
19 makes any sense. So we want to be very cautious of that.

20 Why we're moving it to now is we might be losing our  
21 attorney, and we don't want to deal with this without the  
22 -- I don't want to deal with it without our attorney.

23 MR. HERMAN: Well, I met with Ron in about April it  
24 was, and we had a meeting regarding this issue. And the  
25 City of Bremerton had an ordinance that required NICET to

1 perform all testing. And in that meeting with Ron I think  
2 Ron agreed that that ordinance was in violation of the  
3 code of 19.28. And he proposed doing some what he did  
4 just there on the board making those two definition  
5 changes. And I think I told him at the time I didn't  
6 really think that was a appropriate solution.

7 CHAIRWOMAN PREZEAU: Did you participate in the  
8 Technical Advisory Committee?

9 MR. HERMAN: No. I think that was after --

10 SECRETARY FULLER: That was after we met with  
11 Bremerton.

12 MR. HERMAN: Yeah. Oh, that was after you met?

13 SECRETARY FULLER: Right.

14 MR. HERMAN: Okay.

15 No, I did not.

16 So anyhow, at that time Ron had said that it may  
17 require a NICET to perform the passive testing. Is that  
18 correct?

19 SECRETARY FULLER: Yes.

20 MR. HERMAN: And today he said that it may require a  
21 NICET to supervise all testing.

22 SECRETARY FULLER: Correct.

23 MR. HERMAN: So those -- since the inception of this  
24 situation about two or three years ago, the City of  
25 Bremerton has changed their code once because of -- and

1     this code they have now is no longer -- or at least  
2     according to Ron is no longer valid.

3             So to me, the issue of having to have a NICET person  
4     present is in violation of 19.28, specifically 19.28.211,  
5     paragraph (4). And there's also another part of that same  
6     19.28 that says that the business shall -- in order to  
7     perform electrical work, the electrical contractor's  
8     license is the sole license fee or whatever that can be  
9     required by the city. So in each case, requiring a NICET  
10    to be present is requiring an additional fee or whatever,  
11    and it's not allowing an electrician to perform their  
12    duty. Because if you got to have a NICET guy there to  
13    watch you do your work, you know, you're not -- you're not  
14    -- how do I put it.

15            CHAIRWOMAN PREZEAU: So let me ask you this: What  
16    specifically are you requesting of us?

17            MR. HERMAN: Well, to review the situation and to see  
18    if what Ron is requiring is consistent with the RCW  
19    19.28.211 and any other provision.

20            CHAIRWOMAN PREZEAU: I saw Rod, did you want to get  
21    in on this?

22            Janet.

23            BOARD MEMBER LEWIS: I just wanted clarification.  
24    Are you trying to make a distinction between installing  
25    electrical fire alarm systems as opposed to testing those

1 systems? Or -- if you could just clarify that, that might  
2 be helpful for me.

3 MR. HERMAN: Well, with the issue of installation, I  
4 mean, to me an installation is when you go in, you put the  
5 system in, you test it, see that it's working, then you  
6 leave. That's what any electrician does if they put in a  
7 system. Now, not all systems are necessarily tested by an  
8 electrician, but at least in the fire alarm since I've  
9 been in the industry for 30 years now, that's what we've  
10 done. We install it. We test it. And we program it.  
11 And we walk off the job. That's our job. And now the  
12 city comes along and says, "Well, now, you're not  
13 competent enough to do it. You need some NICET guy to do  
14 it to, say, program it or test it. And so according to  
15 what we need a NICET person for is simply to either pull a  
16 pull station or blow a smoke into a smoke detector. The  
17 rest can be done by a journeyman electrician or a low  
18 voltage electrician.

19 So to me, that's -- specifically 19.28.211 says  
20 that --

21 ASSISTANT ATTORNEY GENERAL REULAND: Can I  
22 interject?

23 CHAIRWOMAN PREZEAU: Uh-huh.

24 ASSISTANT ATTORNEY GENERAL REULAND: I guess what I  
25 would like to advise the Board of is that I think that

1     there needs to be clarification in terms of what your  
2     purpose is in addressing the Board at this particular  
3     meeting.

4             There's always -- the public has the opportunity to  
5     come in and address the Board.  However, if you're asking  
6     -- if somebody's asking for an interpretation, there's  
7     specific procedures that he needs to petition the Board to  
8     do that, and it needs to be on the agenda, and it needs to  
9     be vetted properly so the Department has an opportunity to  
10    respond and to do that.

11            If you're asking for something -- the Board only has  
12    certain authority.  The Board has authority when the  
13    Department takes action, and you can appeal those  
14    decisions, then the Board can review that decision.

15            And the reason I'm concerned is because you just --  
16    it's not appropriate to come and ask the Board to render  
17    an interpretation when there's only a one-sided response  
18    and it's not really on our agenda.  There has to be public  
19    notice that the Board's going to do that.  There's a whole  
20    bunch of criteria.  So I'm a little concerned in terms of  
21    exactly what it is you're asking from the Board today.  If  
22    you're just giving public comments or -- because I don't  
23    know that the procedural requirements have been met for  
24    asking for a formal interpretation or if this qualifies.

25            CHAIRWOMAN PREZEAU:  Yeah.  Because what I heard you

1 say is you want us to determine whether or not you think  
2 that the Chief is interpreting the statute appropriately.  
3 And in order -- and if you're going to formally ask us to  
4 do that, then it's -- you're doing it in an inappropriate  
5 way.

6 MR. HERMAN: Well, I did ask to be on the agenda  
7 and --

8 CHAIRWOMAN PREZEAU: And I completely understand that  
9 you'd asked to be on the agenda and that you sort of  
10 worked with Ron in the interim to determine whether or  
11 not, you know, if we could resolve this issue. But the  
12 reality is this: This is the second time that this  
13 issue's been brought here. And obviously there's the  
14 intent of the Board to make sure people feel that they're  
15 -- that we are responding to requests.

16 But the reality is this: If you are going to make a  
17 formal request for the Board to review a policy decision  
18 that the Chief has made, it doesn't happen in this way  
19 that you have approached being here today.

20 It's a more formalized process. You don't come and  
21 then say without us having any ability to prepare -- or  
22 the Department to prepare a rebuttal, right? And what I  
23 mean by "prepare" is submit, you know, "These are my  
24 formalized arguments." It's a much more formal process.

25 So that's what I said in the intro, and I said we

1     don't want to prejudice the Board. And if you intend --  
2     you and some of the other folks that are on the same side  
3     of the discussion as you are, their intent is to come and  
4     formally request the Board do that, if potentially  
5     prejudices this Board if we have the conversation before a  
6     formal request is made, if that makes better sense.

7             Cathy.

8             BOARD MEMBER BRIGHT: And I also think that from what  
9     you've said that your issue isn't necessarily with the  
10    Washington Administrative Code or even the Revised Code of  
11    Washington; it's more about the City of Bremerton's  
12    regulations that they've implemented.

13            MR. HERMAN: They haven't -- I don't know what  
14    they've done now since Ron has said that the present code  
15    that they have is in violation of the Washington code.

16            BOARD MEMBER BRIGHT: Right. So that's my point is  
17    that if the Washington Administrative Code and the Revised  
18    Code of Washington is -- you know, declares that the  
19    Department has jurisdiction over these types of procedures  
20    or processes, installations and testing, but the City of  
21    Bremerton has implemented a regulation that is in conflict  
22    with that, then the problem is with the City of Bremerton  
23    regulation, and this Board doesn't have jurisdiction to be  
24    able to address that. Do we?

25            SECRETARY FULLER: No, the Board does not. The



1 Department potentially could.

2 But even then, this gets back to where I was at when  
3 I was going through what the Board authorizations are.  
4 This isn't about installation, so the Board can't make a  
5 decision or an interpretation, number one. My opinion.

6 They can advise on anything in the RCW, though. So  
7 that's -- advice is appropriate, but determinations aren't  
8 in this case. Because it's not a civil appeal, civil  
9 penalty appeal, and it's not about an installation method.  
10 And that's where the Board gets to make decisions then.

11 CHAIRWOMAN PREZEAU: So I mean, we understand that  
12 there's -- so apparently there's continued frustration on  
13 your part and on the part of the other representatives  
14 that were at the January meeting, but the changes in the  
15 WAC are not sufficient. Is that a correct statement?

16 MR. HERMAN: Well, by Ron's statement today that he  
17 said that a NICET person that they could stipulate -- the  
18 City of Bremerton could say that you had to have a NICET  
19 person there to observe a journeyman electrician doing his  
20 work, that's a new issue when it was brought up today by  
21 him. So that even takes it a step farther. What he said  
22 was that you may have to have a NICET to pull a pull  
23 station and then a journeyman electrician to detach the  
24 wire. So those are two different issues. So a new issue.

25 But when I called in to be present here on the Board,

1 I told -- was it you, Cathy, that I talked to?

2 CHAIRWOMAN PREZEAU: No. It would have been somebody  
3 that works in the Department.

4 SECRETARY FULLER: Crystal.

5 MR. HERMAN: When I talked to them, I told them what  
6 the agenda was or what the issue was. I did not know that  
7 I had to have something formal in writing to say  
8 specifically --

9 CHAIRWOMAN PREZEAU: Yeah, because here's how this  
10 works. And then I just want to -- I mean, obviously, you  
11 know, I think you heard at the beginning Pam, you know,  
12 advised the Board that we have to comply with the Open  
13 Public Meetings Act, so obviously we have to be in the  
14 open, you know, publish our agenda, allow for public  
15 comment and whether they're on the agenda or not. Anybody  
16 that signs in has the ability to speak. But what they  
17 don't have the ability to do is compel the Board to  
18 necessarily do something in real time. What I mean by  
19 that is what I heard you say is you're asking -- you would  
20 like to see the Board review the policy, the position --  
21 the policy position that Ron has with respect to this  
22 ongoing issue with the City of Bremerton. If you want us  
23 to do that, then there's going to be a question about  
24 whether or not we actually have the jurisdiction to do  
25 that. But that is a formal process, much more formal than

1     you asking to be on the agenda.  So if that's where you  
2     think this is going, then we need to stop this  
3     conversation now.

4             MR. HERMAN:  So then you want me to write --

5             CHAIRWOMAN PREZEAU:  I want you to work with Ron and  
6     one of his staff members to comply with statute and to  
7     make that formal request of interpretation.

8             And we were going to -- just to give you an  
9     illustration.  We were going to have on the agenda, it  
10    said that we were potentially going to have agenda item  
11    under agenda item 6, sub c, 1 and 2, Computer 5 Request  
12    for Interpretation.  There was going to be a preliminary  
13    issue as to whether or not the Electrical Board had  
14    jurisdiction pursuant to 19.28.531 to hear the petition,  
15    and then, you know, look at the -- it had to do with the  
16    scope of work.  Right?  So it is a much more formalized  
17    process than -- the real question -- the first question is  
18    whether or not we even have jurisdiction.  That has to  
19    happen first before you even get to ask the question.

20            So I'm asking if that's where you want this to go,  
21    for us to make a formal interpretation, then we need to  
22    stop listening to this conversation now, and you need to  
23    work with the Department to formalize -- to adhere to the  
24    process in order to initiate that formalized procedure.

25            ASSISTANT ATTORNEY GENERAL REULAND:  Well, there's --

1       could I --

2               CHAIRWOMAN PREZEAU:   Please.

3               ASSISTANT ATTORNEY GENERAL REULAND:   There's two  
4       options available as I see it.   Any individual can  
5       petition the Department for an interpretation.   The  
6       Department can decide whether or not that's an appropriate  
7       petition or appropriate, then give you a response.   There  
8       are provisions in this statute where people can petition  
9       the Board directly for an interpretation.   And then there  
10      would have to be issues of whether -- then the Board would  
11      decide whether or not it had jurisdiction on the issue  
12      that's being presented through discussion with the  
13      Department.   So you need to make a decision on which way  
14      you would go.   And then the Board -- but that's why my  
15      advice is it needs to be in writing in a formal petition  
16      because it may have to be argued about whether it's  
17      appropriate to bring it to the Board or whether you need  
18      to go back to the Department, which forum you go to.   And  
19      nobody on the Board can really evaluate that unless  
20      they're clear in terms of what you're asking for.

21              If you're just making public comment, that's a  
22      different situation.

23              MR. HERMAN:   No, I didn't want to make a public  
24      comment.   I actually wanted the Board to review the issue  
25      and look at the facts and the situation and the RCW and

1       see is it consistent with RCW. That's what I wanted.

2           ASSISTANT ATTORNEY GENERAL REULAND: And what I'm  
3       telling you, sir, is that there's no issue clearly before  
4       the Board. There's no facts.

5           MR. HERMAN: Well, that's what I thought I was --

6           ASSISTANT ATTORNEY GENERAL REULAND: Just  
7       statements.

8           MR. HERMAN: -- supposed to do was bring it before  
9       the Board, and then they would take it up and whatever.

10          CHAIRWOMAN PREZEAU: And you certainly have that  
11       option. It's just going to be a much more, you know,  
12       formalize your oral arguments in writing so that we have  
13       exactly what it is that we're being asked to do.

14          So I'm not telling you -- what I'm telling you is you  
15       have that at your disposal. It's just not --

16          MR. HERMAN: Well, I understand what you're saying.  
17       I understand.

18          CHAIRWOMAN PREZEAU: Perfect.

19          SECRETARY FULLER: So I'm willing to help you appeal  
20       my policy I guess. Duh. Because they're right. It's  
21       very specific about the steps you take. Because I thought  
22       you were just coming to comment again too.

23          MR. HERMAN: No, no. I actually wanted the Board --

24          SECRETARY FULLER: Even before you ask the Board for  
25       advice -- to give advice on this issue, there's still a

1 process with me that you have to do that you haven't done  
2 yet too.

3 MR. HERMAN: Okay.

4 SECRETARY FULLER: Why don't -- I think I've got your  
5 phone number and everything.

6 MR. HERMAN: I will call you if you don't.

7 SECRETARY FULLER: Call me on Monday actually. Call  
8 me on Monday. We'll talk about it. Okay?

9 MR. HERMAN: I didn't mean to take up all of your  
10 time.

11 SECRETARY FULLER: We're not total enemies here.

12 BOARD MEMBER: Yet.

13 MR. HERMAN: Just a difference of opinion.

14 ASSISTANT ATTORNEY GENERAL REULAND: I would be  
15 derelict if I did not advise you that you may wish to  
16 consult with an attorney who represents you and your own  
17 interests and your company's interests in terms of what  
18 you're trying to achieve. That may be --

19 MR. HERMAN: We had an attorney. Didn't work out.

20 ASSISTANT ATTORNEY GENERAL REULAND: Two slams in one  
21 day.

22 CHAIRWOMAN PREZEAU: So sensitive.

23 All right. Thank you.

24 ///

25 ///

1 Item 8. WAC Proposal Review & Recommendation (Continued)

2  
3 CHAIRWOMAN PREZEAU: So we're back to the WAC's.

4 What page are we, Ron?

5 SECRETARY FULLER: We're page 74.

6 CHAIRWOMAN PREZEAU: Okay. You had indicated you  
7 felt this might go a little bit quicker. Is there any way  
8 -- I mean, we certainly want a full and comprehensive  
9 review, but what we don't want is people to fall asleep.

10 SECRETARY FULLER: I'm going to go as quick as I can.

11 CHAIRWOMAN PREZEAU: Okay.

12 SECRETARY FULLER: So this one's just a minor tweak.  
13 It came from outside actually. We changed this. So we  
14 charge \$5 per book. It was unclear to them that it was  
15 RCW and --

16 Okay. Struck out some language here on serious  
17 violations because it's in other places in the WAC rule  
18 and in the statute. Nothing spectacular there either.

19 Okay. This is -- these changes on penalties,  
20 paragraph (11) -- this is page 78 -- this isn't going to  
21 match your document exactly because I found something that  
22 I erased that I shouldn't have.

23 The original permit penalties are staying the same as  
24 they always have been, but I accidentally struck that  
25 language out.

1           The Class B's with the new process will be a reduced  
2   penalty for failure to post. It's \$100, \$250, \$1,000. So  
3   that's the failure to post the number or post the label.  
4   Failure to fill it out on-line in advance is \$100, \$250,  
5   \$1,000. So it's a little bit less. Argument was made  
6   because it's less of a job, so less of a penalty.

7           CHAIRWOMAN PREZEAU: Makes sense.

8           SECRETARY FULLER: So the Department had no issue  
9   with that actually.

10          These penalties on page 79 are similar for the  
11   administrator functions. So again, a little bit reduced  
12   penalties for the Class B violations.

13          Okay. Page 88 and 89, right in there, we're striking  
14   out this flow chart that we have. What we found over the  
15   years is it just creates more confusion and --

16          CHAIRWOMAN PREZEAU: Oh, my God, you're getting rid  
17   of the chart?

18          SECRETARY FULLER: Going away. Yeah, no more chart.

19          Page 90, this is talking about the member of the firm  
20   thing again for administrators. And it also has a  
21   requirement that says the applicant, upon application or  
22   renewal, must provide the department with the "Soc"  
23   Number, date of and legal address of each member of the  
24   firm.

25          CHAIRWOMAN PREZEAU: That's good.



1 SECRETARY FULLER: Because what we've had is they  
2 tell the Secretary of State, but they don't tell us. And  
3 then we write tickets for the wrong reasons or to the  
4 wrong people. All kinds of things happen.

5 BOARD MEMBER BRIGHT: Ron, I have a question. Do you  
6 require them to report when there's a change?

7 SECRETARY FULLER: When they renew.

8 BOARD MEMBER BRIGHT: Oh. At the next --

9 SECRETARY FULLER: Just when they renew.

10 BOARD MEMBER BRIGHT: So, for example, if I'm a  
11 member of the firm as of -- what is it, July?

12 SECRETARY FULLER: We don't stop you from reporting  
13 it, which is probably a pretty smart idea. You can change  
14 them anytime. But we're only going to require changes to  
15 be notified upon renewal.

16 ASSISTANT ATTORNEY GENERAL REULAND: And you're going  
17 to require disclosure of the Social Security Number?

18 SECRETARY FULLER: Yes. We have that already in all  
19 of our applications. Because sometimes it's UBI number  
20 too, depending on the issue.

21 Okay, let's see. This is page 91. This is for plug  
22 and cord equipment exemptions for firms that do that work,  
23 clarifying that the manufactured unit must include the  
24 cord plug and it's allowed to be connected with cord plug  
25 by the NEC. We've had some people still trying to put in

1 field-manufactured equipment. So trying to tighten that  
2 up a little bit.

3 This one's a little bit of a change on independent  
4 power producers. We're going to drop the size from 115 to  
5 100 KVA. And the reason for that is the 2011 NEC already  
6 did that. So it will put us in alignment with what the  
7 NEC has nationwide, which is kind of a preemption for  
8 adopting the next code.

9 Clarified in here that wind generator tower circuits  
10 are exempt under the IPP.

11 And we've made a statement that for IPP's, the  
12 generation equipment must not be mounted on any building  
13 or structure that's not required for the generation of  
14 power like school roofs. We've had people try to be IPP's  
15 and put stuff on a school, feed it directly into the  
16 utility and then try to get away from having a plan  
17 review, for instance, because it's not really the school;  
18 it's the IPP. So this closes some of those loopholes. If  
19 it's on a building or a structure, then they're not an IPP  
20 anymore.

21 That is the manufacturers exemption on page 96.  
22 Added language that says except for the replacement of  
23 individual components as allowed above, this exemption  
24 does not include the initial installation, removal or  
25 replacement of the electrical product.

1           So we've had manufacturers argue that they can go in  
2           and do a lot of work that was never intended under their  
3           exemption. So we just keep trying to clarify this as we  
4           go to court. So this actually maintains what we've gone  
5           to court and won on. It hasn't come to you guys yet, but  
6           we've won at the law judge level a couple of times.

7           Okay. Page 97. PV equipment, we just added an  
8           exemption in there to refer back to that building  
9           integrated stuff that we had in the other section.

10          And 930, administrators, we took out the language  
11          again that's in that other definition now. It said that  
12          a member of the firm is defined in the definition.

13          Okay. 940, page 99. This is the bill that passed  
14          two years ago that allows us to require electrician  
15          certifications to be worn on the outside of their body.  
16          So what we've said is that wear them, visibly display them  
17          on the front of the upper body. Certificate may be worn  
18          inside the outer layer of clothing when outer protective  
19          clothing such as rain gear, et cetera, is required. The  
20          certificate must be worn inside the protective clothing so  
21          that when the protective clothing is removed, the  
22          certificate is visible. Cold weather jacket or similar  
23          apparel is not protective clothing. It also may be worn  
24          inside when working in an attic or crawl space or when  
25          operating equipment dangerous equipment basically. The

1 certificate must be immediately available at all times.  
2 When working as an electrician, the electrician must not  
3 display a training certificate. Because a lot of  
4 electricians are also trainees. When supervising a  
5 trainee, the supervising electrician's certificate must be  
6 appropriate for the work being performed by the trainee.  
7 Any person -- and the reason that's in there is that,  
8 again, you've got people with both hats on. And all of a  
9 sudden, they're looking like a trainee in the field, but,  
10 in fact, they're being a supervisor. So we want them  
11 showing the right certificate.

12 And the last one is they also have to possess a  
13 government-issued photo ID. And that mimics what's in the  
14 statute already too.

15 So as far as we're concerned, all they have to do is  
16 buy a little plastic holder like this and stick it on  
17 their shirt or their jacket somewhere.

18 Okay. This is all relocated stuff I believe.  
19 Strikeouts -- lots of strikeouts in through here because  
20 we've moved it.

21 Okay. Training certificates. Again, has the same  
22 thing about visibly wearing. Referred them back to the  
23 other things about the exemptions.

24 Again, most of this is relocated from other places.  
25 It hasn't been changed. Had the trainee stuff in two

1 different places, so now it's I think all in one section.

2 Okay. Qualifying for examinations. This first  
3 paragraph here is about the bill that just passed about  
4 the continuing -- the in-class education classes, having  
5 to meet those requirements.

6 Just all relocated. Didn't change anything there.  
7 Note and things are all the same.

8 Okay. On paragraph (8) -- and we're on page 112 now.  
9 Paragraph (8), all these sections that are about people  
10 coming from other states, what that does is force them to  
11 have the same in-class education that in-state people do.  
12 That's the gist of all of these differences. So we had to  
13 kind of rewrite all of those sections to get that  
14 statutory language in there. That's what it's about.

15 CHAIRWOMAN PREZEAU: So it certainly doesn't bar them  
16 from coming, right?

17 SECRETARY FULLER: It doesn't bar them, but they're  
18 going to have to doc -- if you're from Tennessee which has  
19 no licensing, you're still going to have to show some  
20 in-class time before we certify you.

21 CHAIRWOMAN PREZEAU: Good.

22 SECRETARY FULLER: So they may come and be able to  
23 justify their work experience time, 8,000 hours, but  
24 they're still going to have to show the 96 hours of  
25 classroom training in addition to that. So that may stop

1       them for a couple weeks until they can get the class,  
2       enough to get through that piece of the process.

3           CHAIRWOMAN PREZEAU: Which is appropriate, right? If  
4       that's the requirement for folks that are here, it should  
5       be the --

6           SECRETARY FULLER: Oh, it's much easier to come from  
7       an unlicensed -- from an unlicensing state than to come  
8       from Washington. It puts them on a level par now.

9           This is a new section. This is page 116. For master  
10       electrician examinations, all sections must be  
11       successfully completed within a one-year examination  
12       period beginning with the date of the examination  
13       approval.

14          We've been struggling with people the last few years  
15       with they'll take it, then they wait years and want to  
16       finish their other part of the exam. So this locks that  
17       up so that they're going to at least have to reapply and  
18       start the process over again. So they'll actually apply  
19       for us -- for an electrician, for instance, they'll apply  
20       to take an exam, and they'll wait ten years to come take  
21       the test. And by then, we've lost -- you know, all their  
22       records are in archives; they're gone. It's just a  
23       nightmare for everybody then. So this forces them once  
24       they're approved to get to the testing site within a year.

25          Okay. Strike out a lot of language here on 117. All

1     this stuff was old, old language for forever since before  
2     1991 that told what was on the exams. But we've got all  
3     of that on the web site now. So it's just several pages  
4     here of unnecessary language.

5             We've clarified that if you cheat on an exam, we can  
6     also give you a citation.

7             Exam confidentiality, we clarified that exam  
8     questions are confidential; they're not to be shared with  
9     other people.

10            This is where all the training certificate stuff came  
11    from. This whole section is gone now.

12            And CEU's. This is where Janet wants to have a  
13    discussion on some of this.

14            We've added classroom in this stuff here. No big  
15    changes there really.

16            One of the other things that we did in here just  
17    since the TAC is take all of that old contractor language  
18    out. If you remember, you folks that were around, is we  
19    tried to actually contract out the CEU approval process,  
20    and we got no applicants at all. Nobody wanted to touch  
21    it with a ten-foot pole. So the Department just does it  
22    for the Board. It's actually a Board responsibility, but  
23    we do the work for them now. So there's no reason to have  
24    the contractor language in it anymore.

25            CHAIRWOMAN PREZEAU: Is that why you eliminated the

1 reference to the Electrical Board in here too?

2 SECRETARY FULLER: Well, eliminated -- yes. Because  
3 -- I mean, we're just doing it.

4 Before, the language was written so that you either  
5 hired a contractor or we acted as your contractor. So  
6 there's just a bunch of tweaks for that to get rid of that  
7 contractor language basically.

8 This was one of the things that the Board said I  
9 think in the January meeting that they wanted to have as a  
10 policy that not to point people to the right answers or  
11 reference. That's been a policy that we've been doing all  
12 along, so we just incorporated that in.

13 This is the one I think Janet probably wants to talk  
14 about. We threw this in as a proposal because we had a  
15 few requests for this over the last months or -- yeah,  
16 over the last year actually is to -- for classroom classes  
17 is to allow Internet classes -- not allow Internet classes  
18 except where the provider can ensure that the instructor  
19 and all the students interact, we've said by simultaneous  
20 voice connection over the same Internet application  
21 throughout the duration of the class simulating a  
22 classroom environment such as web-based meeting  
23 technology, et cetera.

24 So the intent of this is to have an on-line real  
25 class and help the people that are in Forks or Okanogan or



1       wherever so they don't have to drive 90 miles or 200 miles  
2       to a class. It's actually identical to what IEC does with  
3       their apprentices right now. They only go to their  
4       training class when they go to the laboratory. They have  
5       their regular classroom instruction on-line via some web  
6       technology. But the instructor, the students, they're all  
7       on there. The instructor can see that people are still  
8       logged on on the other end. And the instructor asks  
9       questions of people to make sure they're still sitting at  
10      their computer, involved in the class. So that's what  
11      this is about. It's not about an Internet class like  
12      CEU's where you go on-line, you read some stuff maybe and  
13      answer some questions and log off. This is about an  
14      interactive class like Live Meeting. We've been using  
15      Live Meeting -- we've used Live Meeting internally now  
16      here with the supervisors, for instance. And when people  
17      log on, I see their names up there. I know who I've sent  
18      my invitations to. I've actually got video capability and  
19      audio capability via the computer. So it's like you're  
20      there all the time. You can raise your hand and a little  
21      button comes up that says "I want to ask a question."  
22      There's ways to interact. It's very similar to a  
23      classroom face to face except that you're not face to  
24      face; you're just in a classroom.

25           So that's what this is about.

1 CHAIRWOMAN PREZEAU: Okay. So before I go -- and I  
2 know Cathy wants to say something and Rod wants to say  
3 something. But this is -- Janet had indicated earlier --  
4 I mean, Ron was saying -- is this where you wanted to  
5 interject?

6 BOARD MEMBER LEWIS: Yes. I wanted to relay some  
7 concerns from different people who were on the TAC  
8 committee after this had been presented. And one of the  
9 process questions was this proposal did not go out with  
10 the original proposal. So the first time the TAC  
11 committee ever saw it was on the day of the committee  
12 meeting.

13 SECRETARY FULLER: Right.

14 BOARD MEMBER LEWIS: And that did not allow people to  
15 have the time to research this particular section or  
16 research the original law or the changes since then on why  
17 this classroom training was added as a requirement.

18 I think the concerns I heard was that it went by  
19 fairly fast, people didn't oppose it, and people had --

20 And Ron, you maybe can help clarify this. At the TAC  
21 committee, this was presented as a Department proposal,  
22 but I thought you also preferenced that if you don't --  
23 that if anyone on the committee did not -- if we wanted to  
24 turn down a particular proposal, all of the Department's  
25 proposal would be valid -- what was that statement you

1     made? Because people were under the impression that they  
2     couldn't vote down a portion of the Department's proposal  
3     if they didn't approve of it. And I wasn't sure whether  
4     you made that statement or not. Because I thought each  
5     proposal stood on its own merits.

6             So that's one question I have.

7             SECRETARY FULLER: It does. Each one's on its own.  
8     I don't have one giant proposal; I have a bunch of  
9     sections, a bunch of lines.

10            BOARD MEMBER LEWIS: That helped clarify that.

11            But this particular -- the reason I'm going to voice  
12     a personal concerns and also concerns other people had  
13     said to me is that the intent of the original law was to  
14     have face-to-face classroom training, and it appeared in  
15     the Electrical Currents a number of times that you must be  
16     in the class. Classroom training, you can have that  
17     interaction. And I'm worried that the way that this is  
18     written that if you just have audio connection, that that  
19     is not classroom interactive training that the legislature  
20     intended.

21            So that's basically one of the biggest ones.

22            And you mention that people had requested it. You  
23     said it's going to save money for trainees. I really  
24     wanted some background information as to if that's really  
25     going to happen. And if trainees cannot have -- already

1 don't have access to classes fairly close to where they  
2 either live or work.

3 So that's basically what I'm bringing to you. A lot  
4 of people do not like this rule as proposed.

5 SECRETARY FULLER: So just to respond to what Janet  
6 asked there, numerous complaints about the traveling  
7 still. Because there actually are very few classes. We  
8 were having this conversation the other day here actually  
9 about are there going to be enough come next July 1st.  
10 And I truly don't believe there's enough in-class classes  
11 right now to accommodate the latest bill to require more  
12 classes when they're at their certification mark. There's  
13 not a lot available out there right now. You go on-line  
14 and even start going through our on-line classes, and  
15 they're few and far between in a lot of areas. They're  
16 really sparse. So that's the reason is that I listen to  
17 people, heard them, and put this proposal forward.

18 If it's just about the audio, there's a lot of  
19 programs out there now that are video capable too. And I  
20 don't have heartburn with adding video on here and making  
21 it a live meeting type of a deal like we use here.  
22 Because there's several programs available to do that.  
23 But I do really hear and I think there's a validity to the  
24 complaint about the traveling with the in-class classes.

25 CHAIRWOMAN PREZEAU: So before I -- I know Cathy and

1 Rod and Mike sat on the TAC.

2 BOARD MEMBER NORD: I heard the same objections.

3 CHAIRWOMAN PREZEAU: Okay.

4 All right. So Rod, you want to jump in here?

5 BOARD MEMBER BELISLE: Well, I just -- what are we  
6 talking about about a lot of travel? I mean, I guess in  
7 my -- I'm the director of an apprenticeship program. We  
8 have apprentices that travel probably three hours to go to  
9 class.

10 SECRETARY FULLER: I don't like that. Sorry.

11 BOARD MEMBER BELISLE: What's that?

12 SECRETARY FULLER: I wouldn't like that. I would  
13 hate that.

14 BOARD MEMBER BELISLE: Well, I understand they don't  
15 necessarily like it. But it's part of their job. It's  
16 part of their education process. It's part of the  
17 process. I mean, unfortunately that's what it takes to  
18 become a certified electrical worker.

19 And I'm wondering if are we talking about an hour?  
20 Are we talking about three hours? Are we talking about  
21 five? I don't know what "a lot of travel" means.

22 SECRETARY FULLER: One of the dilemmas that the Board  
23 needs to be aware of is that when the original bill for  
24 in-class training passed, there was a -- there is a report  
25 required from me in October about what are the downsides.

1 And this issue was one of the biggest concerns the  
2 committee at the legislature had was how available is this  
3 stuff going to be. And to be quite frank with the Board,  
4 I'm going to feel real bad writing that report if I can't  
5 say we're going to do something like this and take care  
6 of the complaints I've heard. I don't want to have to  
7 write that report and say, "Hey, we're going to make  
8 people drive even two hours." I don't want to have to  
9 write that report.

10 BOARD MEMBER BELISLE: I guess before I heard you say  
11 the distance, my concern a little bit just throughout the  
12 day today, I mean, we talked about -- I wrote it down  
13 somewhere -- about the pass rates for apprentices. And  
14 you mentioned the IEC has a 38 percent first-time pass  
15 rate. You just mentioned IEC is already doing this with  
16 their apprenticeship program. So they currently it sounds  
17 like have the worst or close to the worst pass rate in the  
18 state using this technology, and now we're promoting using  
19 the same technology for not even apprentices but even a  
20 lesser amount of training for somebody who's trying to  
21 qualify for the same license. That just seems like we're  
22 making this worse the longer I sit here. I mean, that's a  
23 little concerning to me. I've sat through a lot of  
24 webinars, and I know that there's some technology that  
25 works very good, and there's some that does not work good

1 at all. And there's people in the background, on their  
2 cell phone, on they're laptop doing lots of different  
3 things. I just can't see where this is going to be a lot  
4 better than just simply sitting on-line clicking on boxes,  
5 honestly.

6 CHAIRWOMAN PREZEAU: Cathy.

7 BOARD MEMBER BRIGHT: I was going to bring up the  
8 same thing about IEC.

9 And so to expand on that, is that IEC program that's  
10 doing Internet classes now, is that in compliance with the  
11 current regulations?

12 SECRETARY FULLER: They're apprenticeship, so it's  
13 not -- it doesn't apply.

14 BOARD MEMBER BRIGHT: Okay.

15 CHAIRWOMAN PREZEAU: Yeah, they're under their  
16 standards or whatever. Their practices are under that.

17 BOARD MEMBER BRIGHT: So I think that -- I mean, at a  
18 minimum, you would have to require video. Because you'd  
19 have to be able to see that that person was actually  
20 sitting at their computer and paying attention to what was  
21 going on as opposed to, you know, watching TV or whatever.  
22 Just because you've got audio capability, I can -- if I'm  
23 sitting at my computer, I can always put it on mute and I  
24 could be doing anything.

25 So that's -- that was a huge concern for me.

1           But I think even more than that, I think there's two  
2       criteria that I think we could maybe use to consider this.  
3       One would be that there would have to be -- they would  
4       have to demonstrate that there was not in-person classes  
5       available within a reasonable commute for them. You said,  
6       "I don't want somebody going two hours." But I don't want  
7       some -- at the same time, I don't want somebody who lives  
8       ten minutes away and is accessible by bus to the training  
9       center in Tacoma, for them to say, "Well, I can't make it  
10      in to the class, and I want to participate in this on-line  
11      thing" because that's not meeting that reasonable  
12      threshold in my opinion.

13           And for some of the areas that may have accessibility  
14      issues like you mentioned Forks and Okanogan, San Juan,  
15      there are frequently schools or institutions of higher  
16      education, community colleges, that type of thing, that  
17      have the technology available there to be able to do a  
18      video in-person thing where you would go in, for example,  
19      and sit in a classroom.

20           CHAIRWOMAN PREZEAU: With a proctor.

21           BOARD MEMBER BRIGHT: It's a proxy classroom  
22      basically is what I'm getting at. So there's the video  
23      equipment to see that you're there. So you're essentially  
24      sitting in -- let's say this was a classroom. I'm sitting  
25      in a classroom. I'm participating by video. And there's



1 a camera coming back on me making sure that I'm in the  
2 room and paying attention.

3 So I think that while I understand the concern, and I  
4 think that it's a valid one, I think that there are some  
5 alternatives to doing this in a way that is more secure in  
6 terms of ensuring that the trainee is actually paying  
7 attention and learning what they want to learn.

8 I'd also be very -- if we do go down this road, I'd  
9 also be very interested to see the first-time pass rates  
10 of the people who acquired their training remotely or were  
11 actually in a classroom. So I'd want to make sure that we  
12 kept track of that.

13 CHAIRWOMAN PREZEAU: And for me, I mean, I think  
14 Cathy brings up some excellent points.

15 One of the things that I struggle with is, you know,  
16 I know we haven't got to the examination report yet, but  
17 we've seen these multiple times. And you look at the in  
18 particularly the specialty license, specialty certificate  
19 holders, their first-time pass rates, and then repeated  
20 failure rate. So they've already seen the exam once.  
21 Have you guys looked at what these failure rates are? You  
22 know, it's astronomical of the number of repeat fails.  
23 Which was part of the reason I think that the legislation  
24 was passed is when you're continuously -- let's be honest.  
25 Continuing education is different than basic classroom

1 training for trainees. Continuing education is reminding  
2 those already at a journey level of what changes have  
3 happened in your industry and keeping you up to speed on  
4 your technologies. The basic classroom training is for  
5 folks that are learning the craft. And, you know, for  
6 those outside of any formalized training school, this is  
7 all the touch that they get with either electrical theory  
8 or installation requirements, grounding and bonding other  
9 than somebody in the field telling them, "Just do what I  
10 told you, kid, and mouth shut, eyes up here," right? So  
11 I'm a huge proponent of there's a reason why they call it  
12 classroom training. It sort of has the "classroom" piece.

13 But I also -- you know, I hear what Ron is saying  
14 about -- because the reality is you want to be able to get  
15 people to get in those classrooms.

16 So I do think that potentially having a remotely  
17 located classroom with a proctor -- but I am not -- you  
18 know, I've been on webinars. I know exactly -- I mean,  
19 here's where I also know is you can put somebody in a  
20 classroom, but you can't make them learn. I get that  
21 point as well. But I think the reality is much higher  
22 that if you sit in a classroom, they have the ability to  
23 throw an eraser at you, right? that it's much more likely  
24 that you're going to pick something up.

25 Janet, go ahead.

1           BOARD MEMBER LEWIS: I really like Cathy's idea about  
2   having some specific criteria on where these -- you know,  
3   if we go down the road -- I'm totally against it in the  
4   first place, but if we go down that road -- because I  
5   don't want the Internet classes to become the norm as  
6   opposed to the classroom. And the way it's written, you  
7   can have either one; no big deal. You don't have to show  
8   that there's a hardship within this Okanogan area or that  
9   there's never been a class there. I just want to echo  
10   that.

11          SECRETARY FULLER: Administratively that would be  
12   impossible to do, what Cathy's talking about. We don't  
13   know where classes are performed. We know when classes  
14   are approved. But beyond that, we don't track when and  
15   where they're performed at.

16          BOARD MEMBER LEWIS: Then how do you know that  
17   there's a lack of them in certain areas?

18          SECRETARY FULLER: Just anecdotal complaints. And  
19   you look at providers and see where they're at, and  
20   they're not in those remote areas.

21          And to be quite honest, everybody in here knows what  
22   it costs to rent a room like this. Providers aren't going  
23   to do that typically that we have -- the type of providers  
24   we have because they're normally one-person operations  
25   that don't have a lot of funding. So they're not going to

1 go out and spend \$500 for a room somewhere to put on a  
2 training all day long. It just won't happen.

3 CHAIRWOMAN PREZEAU: Yeah, I mean, I get that.

4 I also understand that if you're going to have -- you  
5 know, if I'm going to require -- if we're going to allow  
6 Internet-based classroom -- basic classroom instruction,  
7 that in order for me to participate with that, then I have  
8 to pay for some, you know, digital technology  
9 infrastructure in order for me to comply with that. It's  
10 a back and forth ...

11 Richard, did you want to say something?

12 BOARD MEMBER DAMIANO: So if I understand the concern  
13 of the Board, it's not necessarily the location or how the  
14 material's delivered, it is the competency of the material  
15 so that the trainee is able to interact in such a way that  
16 they gain and receive the knowledge that it becomes part  
17 of who they are, that they attain competency and  
18 preferably mastery of the material. Is that correct?

19 BOARD MEMBER BELISLE: Ultimately that's the goal I  
20 think.

21 BOARD MEMBER DAMIANO: So what I would propose or  
22 encourage people to look at is Stanford University and  
23 many others have adopted an on-line education technique  
24 that is not live. The material is delivered. And  
25 periodically throughout the course of being delivered --

1 and it's an on-demand course -- the student is engaged  
2 through a quiz. So you've sat for 15 minutes, you've been  
3 presented material, you take a quiz. That quiz then gives  
4 you a pass/fail. And if you fail the basic competency, it  
5 directs you back in the video to review the information.  
6 And you don't progress until the quiz is passed. And what  
7 they've seen by doing this technique, short bits of  
8 information, quiz to mastery, then progression, that  
9 retention of knowledge increases. In fact, in some cases  
10 it can be superior to the traditional physical classroom  
11 because not even that type of feedback is taking place in  
12 the physical classroom.

13 So historically I would agree with the Board that  
14 web-based delivery of information is not the ideal and is  
15 lesser to classroom. My suspicion is that where the  
16 higher education system's going today with on-line  
17 education, the new methodologies are, in fact, superior in  
18 some respects to physical classrooms. If that type of a  
19 technique was adopted, I think that would satisfy all the  
20 concerns, and I would be in favor of that. If it's just  
21 an hour-long presentation and all we have is that you were  
22 in the room, I would not be in favor of that. But  
23 something that gives you that feedback along the way, an  
24 assurance of competency or mastery of the material being  
25 progressive I think fulfills the concerns of the trainees

1 and the concerns of the Board.

2 SECRETARY FULLER: And the trainee classes, if you  
3 don't know, they require an examination. You need a 75  
4 percent score to pass before you get the credit. And we  
5 kind of do that, but we don't do it --

6 (Whereupon, proceedings  
became unreportable due to  
7 talking over each other.)

8 CHAIRWOMAN PREZEAU: Before we go back, are there any  
9 other folks that -- yes, David.

10 BOARD MEMBER CORNWALL: I just wanted to ask exactly  
11 what Blue Volt is. Blue Volt is a continuing education  
12 available on-line, and it's accredited. And that's  
13 exactly the way they work. You go through the initial  
14 phase, you take that quiz for that part of it. If you  
15 fail, you have to go back before you can --

16 BOARD MEMBER DAMIANO: I'm not familiar with Blue  
17 Volt.

18 CHAIRWOMAN PREZEAU: It would be the same. From my  
19 perspective, it would be the same.

20 Any other -- yeah, go ahead.

21 BOARD MEMBER TURNER: I guess I'd just like to  
22 reiterate what I heard. Because a person's in a class,  
23 you're not going to ensure that they learn anything. They  
24 can sit there with their eyes glazed over and get nothing  
25 out of it. To me, the filter is some type of examination.

1 If someone's interested in learning, they'll get the  
2 information, pass the test, and away you go. But if they  
3 can sit in a class, fail test after test, which is  
4 evidence that they didn't get anything out of it, then we  
5 wouldn't have to do anything more for that.

6 CHAIRWOMAN PREZEAU: Okay, so going back over here.  
7 Rod.

8 BOARD MEMBER BELISLE: Well, I guess my first  
9 question would be -- Richard, is that right? -- based on  
10 what's written here, do you think that meets the intent of  
11 what you described? That would be my first.

12 BOARD MEMBER DAMIANO: I don't think that what's  
13 written there gets at what I described. It gets at yes,  
14 they were present for all the material being delivered,  
15 but not that they were really engaged in that.

16 BOARD MEMBER BELISLE: So my second comment is: I  
17 agree with what you just stated.

18 And our apprenticeship program is actually moving to  
19 that. We call it LMS. There's a learning management  
20 system. They do some work. They answer questions. If  
21 they don't get them right, they have to go back. They  
22 watch video clips. They do all these things.

23 A little twist on what Blue Volt does because if you  
24 miss the quiz on Blue Volt, they actually give you the  
25 right answer. Whereas in an LMS, they don't give you the

1 right answer; they just tell you you failed and you have  
2 to do it again. So it's a bit improved from that. But  
3 there's a lot of criteria with that.

4 And I guess that's my concern here is I get the issue  
5 and I get the problem, and I also feel like in class you  
6 can have instructors that within 15 minutes of presenting  
7 the material in class, if the students aren't paying  
8 attention, I'm going to stop the class and I'm going to  
9 give them a pop quiz. Guess what? I just did exactly  
10 what you described. That's not new technology. That's  
11 just people doing a good job training.

12 And I think we kind of discussed the test results  
13 that there's ways of doing good jobs of training, whether  
14 you're in class person to person or whether you're going  
15 to use some modified learning management system. But, you  
16 know, to take a program that's already proven to be not  
17 that great and then to extend it to a lesser candidate  
18 potentially I think is a really bad idea. I just really  
19 have concerns with that regardless of the impact of a  
20 two-hour commute. I think that's a bad excuse for  
21 breaking down quality. From my perspective, I can't  
22 represent that at this Board.

23 CHAIRWOMAN PREZEAU: Cathy.

24 BOARD MEMBER BRIGHT: I recognize that there's  
25 technology available. And I think that -- but I just



1 don't think that the programs that we have in place at  
2 this time are quite there yet.

3 I have a concern that, you know, again, I'm going to  
4 say that we take the -- wasn't that the lowest success  
5 rate of first-time passes? We take a program that's the  
6 worst and we're going to say, okay, so we're going to make  
7 everybody else model on this program. Why aren't we  
8 looking at the IBEW's apprenticeship program and what  
9 they're doing and model it after that since that's the  
10 most successful program?

11 The second -- I think -- I mean, we all have issues  
12 about learning styles and things like that. But I think  
13 part of the concern that we have to have here is the  
14 content. We're not teaching somebody to be a, you know,  
15 philosopher or even learning law which is -- yeah,  
16 learning law is part of it, but I also think there's like  
17 a hands-on component to being in the trades that doesn't  
18 exist in a lot of higher education settings. So I think  
19 that's something that we need to take into consideration.

20 I have a couple of -- you know, is this done in other  
21 trades in the state of Washington? Is this type of  
22 training done in other license trades? Is it done in  
23 other states? And if it is done in other states, how  
24 successful or how confident are we that we're not  
25 sacrificing the quality of the training that people

1 receive in the state of Washington or to a degree that  
2 we're uncomfortable with.

3 So I think that we probably should say that we can,  
4 you know, allow it, but we have to I think -- I think we  
5 should make the language in the rule give the Board the  
6 discretion to certify these programs. Isn't that part of  
7 our charge anyway? So I think we want to leave that door  
8 maybe open a little bit, but not until we can -- a program  
9 or proposal or alternate mechanism of training delivery  
10 can satisfy the Board that it's going to be of a quality  
11 that we're comfortable with.

12 CHAIRWOMAN PREZEAU: So in the spirit of brevity, I  
13 want people to look at this language that's right there,  
14 and what I'm going to do is straw poll. Right? I want to  
15 see a show of hands of how many people are comfortable  
16 with the language as it currently exists in that section  
17 of the WAC. Raise your hand if you're comfortable with  
18 that.

19 (Board Members Townsend, Turner and Brickey raising  
20 hands.)

21 So there's three Board members.

22 Now, a show of hands, how many people in this room  
23 are not comfortable with that language as it exists right  
24 now.

25 (The remaining Board members raising hands.)

1           So everybody voted I guess is what we're indicating.

2           So I don't know that we have time or the ability to  
3 solve this problem here.

4           Ron, do you agree with me?

5           SECRETARY FULLER: Here's the dilemma, is that if I  
6 don't have your direction, then it goes away. Because the  
7 Board's not going to get a chance to look again.

8           CHAIRWOMAN PREZEAU: So you're saying the entire  
9 clause goes away?

10          SECRETARY FULLER: Yes.

11          BOARD MEMBER BRIGHT: Until the next rule change.

12          See, that's why I'm suggesting that we put something  
13 permissive in there that has some sort of checks and  
14 balances built in so that we can assure that the quality  
15 of the training is received --

16          CHAIRWOMAN PREZEAU: Let me back up for a second.  
17 Let me back up. We know that this is -- that if this goes  
18 away today, and the process as outlined earlier is that  
19 these rules continue their process, they take effect  
20 sometime in January of 2013. And then we know that the  
21 next option for rule-making after that is going to be  
22 after the 2013 RCW -- or NEC comes out.

23          SECRETARY FULLER: Probably.

24          CHAIRWOMAN PREZEAU: Here's what I'm hearing, is that  
25 folks are not 100 percent opposed to this, but they want

1 to see some more safeguards and understand what the real  
2 need is.

3 SECRETARY FULLER: So my perspective then is that we  
4 should spend the time to wordsmith this and either do  
5 nothing or move something forward. Because there's  
6 nothing that we're going to talk about after this that's  
7 going to take more than two seconds because this is the  
8 last controversial thing I think. So I'd like to get it  
9 either blessed or not blessed when we walk out of here  
10 today.

11 BOARD MEMBER BRIGHT: Do you have a copy of the RCW,  
12 the change that prompted this? It's in our book?

13 SECRETARY FULLER: Well, I don't have the last bill,  
14 but the last bill just changed "in class" to  
15 "certification."

16 BOARD MEMBER BRIGHT: July 26, 2009. So this was  
17 before the bill.

18 SECRETARY FULLER: For the continuing ed.

19 For the renewal, it's in there.

20 BOARD MEMBER BRIGHT: Do you know where?

21 BOARD MEMBER LEWIS: I might have a copy of it.

22 CHAIRWOMAN PREZEAU: So Rod, while people are  
23 looking, did you want to --

24 BOARD MEMBER BELISLE: Well, I'm just wondering --  
25 you know, Cathy's point is the idea to propose something

1     that might say, " other advanced technologies could be  
2     considered with Board approval"? Just something -- is  
3     that the --

4             SECRETARY FULLER: I'm going to advise you against  
5     that. Because I remember the days when the Board had a  
6     committee and how onerous that was for everybody including  
7     the Board. It just didn't work. To be quite honest,  
8     that's why the Board doesn't look at the classes anymore  
9     because it made the timelines and the paperwork so  
10    gigantic that it just didn't work.

11            BOARD MEMBER BRIGHT: Well, but I think we're under a  
12    little bit different of a circumstance here. We're not  
13    necessarily approving the content because that's already  
14    been established. We're just looking at the delivery  
15    mechanism. And so -- I mean, I'm not suggesting that we  
16    do a committee or whatever, but I am suggesting that the  
17    Department can consider certifying an alternative delivery  
18    method to do classroom training and come to us for  
19    approval of this alternate delivery mechanism or method,  
20    however you want to phrase it. But I'd want to have it  
21    vetted by the Department, not for the content, but to make  
22    sure that they feel assured that this is -- it's going to  
23    result -- the resulting -- the results are going to be  
24    acceptable in terms of --

25            SECRETARY FULLER: So the section -- back to that --

1 is 161, paragraph (2) in the middle?

2 BOARD MEMBER BRIGHT: Right.

3 SECRETARY FULLER: All it says is they shall provide  
4 the Department with proof of 32 hours of classroom  
5 training. That's all it says.

6 BOARD MEMBER BRIGHT: So we'd have to change the  
7 definition of classroom training.

8 SECRETARY FULLER: No.

9 BOARD MEMBER LEWIS: That's where you have to go  
10 back --

11 SECRETARY FULLER: You have to make one.

12 BOARD MEMBER LEWIS: -- to the RCW.

13 SECRETARY FULLER: Right now we don't -- the only  
14 thing we have right now is that it's not Internet.

15 BOARD MEMBER BELISLE: It's currently authorized --  
16 the black language is existing. That's what's there.

17 CHAIRWOMAN PREZEAU: Yeah, it used to say  
18 correspondence and Internet classes are not allowed.  
19 Because that was the original intent, right?

20 Here's my perspective. I mean, this -- we've got  
21 some new Board members. Do you guys remember we had this  
22 long -- how many meetings did it take for us to come up  
23 with how we wanted to have correspondence classes, deal  
24 with the exam and the protocol and all of that?

25 I mean, I appreciate what you're saying, Ron. But

1 maybe you're more optimistic than I am. Where I'm at is  
2 -- I mean, that was for us to come up with a policy and  
3 procedure that we all agreed with with respect to an  
4 already acceptable piece which was correspondence courses  
5 and developing the policy regarding exam banks and amount  
6 of questions and all of that. I applaud your optimism. I  
7 don't think it's possible.

8 Yes, Richard.

9 BOARD MEMBER DAMIANO: So one of my concerns with the  
10 language as proposed is that it limits the on-line  
11 technology to simultaneous and does not have a provision  
12 for really ensuring receipt of the information.

13 SECRETARY FULLER: Well, it does right down here  
14 (indicating). They have to have the exam.

15 BOARD MEMBER GUILLOT: How long did it take us to do  
16 the 75 percent? Wasn't that a big issue for several  
17 years?

18 CHAIRWOMAN PREZEAU: That's a whole different thing.

19 SECRETARY FULLER: That's actually --

20 BOARD MEMBER GUILLOT: I was just adding to the --

21 SECRETARY FULLER: That actually only took a few  
22 minutes. It only took a few minutes. What took longer  
23 discussion was the real exam, which we still are not at 75  
24 percent. We're still at 70.

25 CHAIRWOMAN PREZEAU: What Don's talking about is the

1 issue that you recall Gloria championed for so long.

2 SECRETARY FULLER: That was for real exams, though.  
3 That wasn't for this stuff.

4 CHAIRWOMAN PREZEAU: So I'm going to Janet.

5 BOARD MEMBER LEWIS: Going back to the language, I  
6 heard one idea that was a possibility that it has to be  
7 more than just voice. It must be video connection. That  
8 the existing language could work, but only with the  
9 stipulation that the Board has the discretion to approve  
10 on a case-by-case basis this exception.

11 I really think that we need -- if we go down this  
12 road, that we need to have that approval so that all of a  
13 sudden we don't get 200 of these spring up, and it's going  
14 to be just like the CEU classes where you're pushing a  
15 button.

16 I mean, I'm willing to put a little -- put time into  
17 reviewing that. But I don't -- if we're going to adopt  
18 any sort of Internet classes, we need to monitor it at  
19 least in the beginning. Otherwise, I say we get rid of it  
20 and we wait for two more years until the next WAC process.  
21 Because I do not think the TAC committee that we had was  
22 able to vet this properly when we had all of those people  
23 in the room.

24 CHAIRWOMAN PREZEAU: So Rod, and then Richard.

25 BOARD MEMBER BELISLE: Well, I'm -- kind of to



1 Richard's point, I'm a little uncomfortable trying to edit  
2 the current language here because now you've written the  
3 course that you expect to see. And what Richard described  
4 is not here. What I described would not fit here either.

5 Maybe this is one method. But, again, I think if  
6 we're going to go outside of the accepted method, it  
7 should be just -- you know, other delivery methods should  
8 be evaluated by the Board.

9 And -- I mean, I signed on to be here. I thought we  
10 were going to be done by 11:30 today, and look at the  
11 time. You know, I mean, that's what you get when you sign  
12 on. And if that means being on a committee and coming up  
13 twice or once a month instead of once every three months,  
14 I don't think that's a huge commitment.

15 CHAIRWOMAN PREZEAU: Richard.

16 BOARD MEMBER DAMIANO: I would propose that we give  
17 Ron enough direction to ensure participation, receipt of  
18 information, but also I would propose that not all  
19 classroom time be Internet based. That maybe 75 percent  
20 of classroom time could be Internet based. And so that  
21 you'd still have some interaction with a trained coach and  
22 trainer/instructor to accommodate some of those particular  
23 things that may need more personal interaction. We've  
24 reduced that burden upon the trainee for a lot of travel,  
25 but we haven't completely taken it away. We've allowed

1 interaction, and we've allowed some more efficiency and  
2 ensured that they're getting the material.

3 CHAIRWOMAN PREZEAU: Ron.

4 BOARD MEMBER CORNWALL: Dave.

5 CHAIRWOMAN PREZEAU: I'm sorry. Why did I think your  
6 name was Ron?

7 BOARD MEMBER CORNWALL: I don't know.

8 CHAIRWOMAN PREZEAU: I don't know. Sorry.

9 BOARD MEMBER CORNWALL: Maybe it could be simplified  
10 if we just edited the statement there to say Internet  
11 classroom not allowed except where the provider can ensure  
12 the instructor and all students can interact, and then  
13 strike it until it gets to interact throughout the  
14 duration of the class simulating a classroom environment.  
15 Because that allows you the flexibility to use webinar  
16 training or Blue Volt or classroom training or whatever.

17 SECRETARY FULLER: Can I make a proposal?

18 CHAIRWOMAN PREZEAU: Sure.

19 SECRETARY FULLER: That I think I've heard what  
20 everybody has to say. I still think it's a good idea.  
21 But we can't have a -- teleconferences don't work for the  
22 Board.

23 CHAIRWOMAN PREZEAU: No.

24 BOARD MEMBER: Why not?

25 SECRETARY FULLER: But I think it could in this case.

1     What I can't do is send you all a new draft and say, What  
2     do you think? Because then that's a meeting. So that's  
3     illegal. But what I can do is send you a draft -- a  
4     revised draft and have us all on a teleconference, have a  
5     short discussion, and take a quick vote. What won't work  
6     on a teleconference like for this, especially with this  
7     many people, is a big discussion like this. It just  
8     doesn't work very well. But basically call a special  
9     meeting, but do it with teleconference or Live Meeting.

10       CHAIRWOMAN PREZEAU: Cathy.

11       BOARD MEMBER BRIGHT: So --

12       SECRETARY FULLER: Because it does work. What you  
13     were saying about the colleges, every college out there  
14     does this right now. It isn't just IEC; it's everybody  
15     using this technology. This is not new stuff.

16       So I understand where you're at. But just making it  
17     physically difficult doesn't justify a class -- I'm still  
18     going to push this a little bit. But give me a chance to  
19     take like some of your ideas, some of Rod's ideas, put  
20     them together and come up with another draft.

21       CHAIRWOMAN PREZEAU: Because the way I look at this  
22     language right now, you can drive a truck through that.  
23     And it makes me very uncomfortable about what is actually  
24     happening.

25       SECRETARY FULLER: Okay.

CHAIRWOMAN PREZEAU: And one of the things that Cathy brought up about, you know what -- so it's about ensuring that people get access to information. But what it's not about is -- I live in University Place, and I was a trainee, and I could go to a class in Tacoma four and a half miles away. But it's easier for me to hang out at my house and do this. I don't think that's necessarily a viable option.

I also heard what Richard said about, you know, you don't get to do all of your basic classroom training on-line; you have to have some of it -- I think that is a very valid point.

SECRETARY FULLER: That's what I heard is a lot of good ideas.

CHAIRWOMAN PREZEAU: Cathy.

## Motion

BOARD MEMBER BRIGHT: I'm going to make a motion, but I want to say that I think that we're going to have -- we don't even know what vendors are interested in providing this type of training. So I think what we need to do is be receptive to a proposal that we would get from a vendor. And so my motion is to strike the proposed language and to say alternative -- and probably in section

1     -- I don't know if this -- where it specifically belongs,  
2     but here's what my idea is: Alternative delivery methods  
3     to in-person classroom may be allowed if the -- if  
4     evaluated and recommended by the Department and approved  
5     by the Board.

6             BOARD MEMBER LEWIS: Second.

7             BOARD MEMBER BRIGHT: That's the theory. If you guys  
8     want to wordsmith it, I'm totally okay with that without  
9     having to -- but I think that we have to have some sort of  
10    -- because this is a new concepts. This is something that  
11    -- we haven't -- not everybody's convinced this is going  
12    to be a good way of delivering the content. And maybe we  
13    do want to have a hybrid between classroom time and web  
14    time, and that's -- but basically what we want to do is  
15    ensure that the quality of the education that the trainees  
16    receive gives them a reasonable chance to be able to pass  
17    their examination on the first try. I mean, that's the  
18    goal.

19            CHAIRWOMAN PREZEAU: Well, wait a minute. I don't  
20    know that the goal is to pass the examination on the first  
21    time, but to demonstrate that you have learned the content.

22            The reality -- I want to make this point -- is this:  
23    This is why -- the Board has -- I've been on this Board  
24    since 2005. And I can't pretend to speak for other Board  
25    members, but my vantage point is the previous Board up to

1     this point never wanted to consider anything other than  
2     classroom training. That's my opinion of the Board's  
3     position previously.

4             Because what we have to keep in mind of is it's not  
5     just so I'm going to learn my -- I'm going to learn to  
6     become an electrician, and I'm going to -- I have to have  
7     32 -- outside of an apprenticeship program, I'm going to  
8     have 32 hours of basic classroom instruction. Now  
9     potentially some of that is going to be -- or all of that  
10    is potentially going to be all on my own. And when you  
11    pass the exam, it doesn't just allow you to work without  
12    supervision; it allows you to supervise others. Right?  
13    So the ability to impact the industry in a very negative  
14    way starts growing exponentially if you have people out in  
15    the field that have the ability to supervise, that they  
16    themselves do not have all of the core understanding,  
17    safety components, theory that they should. Right? It's  
18    industry standard. I don't want to lose sight of that.

19            And the other piece that -- and I heard what Ron said  
20    about accessibility, and I appreciate that. I know that  
21    we had questions that came to this Board about  
22    accessibility for the exam when we went to PSI. And so  
23    those were all answered.

24            I have yet to have anybody come to this Board -- and  
25    I'm not challenging your anecdotal evidence; I'm saying I

1 have yet to hear from anybody that tells me that they  
2 don't have access to a classroom. I'm just being honest  
3 with you.

4 I want to make sure people have access. I'm somewhat  
5 troubled by the fact that -- Janet, if you're telling me  
6 that this proposal wasn't in the Technical Advisory  
7 Committee members' packets so they could think about it  
8 ahead of time, I'm not sure that this would even be here.

9 So I personally -- I'm just going to tell you this:  
10 I don't know that -- I personally would like to see this  
11 thing go away.

12 BOARD MEMBER BRIGHT: So you're speaking against the  
13 motion?

14 CHAIRWOMAN PREZEAU: Well, does the motion --

15 SECRETARY FULLER: One thing to consider on the  
16 motion, the way you said it, is that you alone would be  
17 approving classes on a quarterly basis. So you just need  
18 to remember that.

19 CHAIRWOMAN PREZEAU: So did your motion have a  
20 second?

21 BOARD MEMBER LEWIS: Yes. I seconded.

22 CHAIRWOMAN PREZEAU: So the motion that I understand  
23 from my -- hopefully this is -- the language is -- the  
24 motion is to strike what's in red and add "alternative  
25 delivery methods to classroom training may be allowed if

1 evaluated and recommend by the Department and approved by  
2 the Electrical Board." Is that correct?

3 BOARD MEMBER BRIGHT: I think -- did I say "in  
4 person"? "In-person classroom training"?

5 CHAIRWOMAN PREZEAU: "Alternative delivery methods to  
6 in-person classroom training" ...

7 BOARD MEMBER BRIGHT: ... "may be allowed" so it's  
8 permissive.

9 CHAIRWOMAN PREZEAU: ... "may be allowed if evaluated  
10 and recommended by the Department and approved by the  
11 Electrical Board." Yes, is that correct?

12 BOARD MEMBER BRIGHT: That's correct.

13 CHAIRWOMAN PREZEAU: Any discussion on that motion?

14 BOARD MEMBER LEWIS: Well, I would like some  
15 discussion because I just heard from the Chair that you  
16 would like this to go away. Is this something that the  
17 Chair could not live with?

18 CHAIRWOMAN PREZEAU: That section? That I can't live  
19 with.

20 BOARD MEMBER LEWIS: Okay.

21 SECRETARY FULLER: I'm not part of the Board. But  
22 part of this motion too that you need to think about is  
23 the -- oh, how do I want to say this? -- it's -- the way  
24 the motion was made, that would still -- that would kick  
25 back in regular Internet and regular correspondence



1 classes.

2 BOARD MEMBER BRIGHT: Well, can I respond to that?

3 CHAIRWOMAN PREZEAU: Sure.

4 BOARD MEMBER BRIGHT: My intent is to say that if --  
5 yes, it could, but only if -- that's why I said only if  
6 the Department evaluated it and recommended to the Board.

7 So if somebody -- if a vendor comes to the Department  
8 and says, "Hey, I want to do this Internet training class  
9 for the basic training," and the Department does their  
10 evaluation and they do not believe that this is an  
11 appropriate way of delivering this content to trainees,  
12 the Department can reject it and say, "We don't think this  
13 is -- we can't recommend this to the Board."

14 SECRETARY FULLER: So from the Department's  
15 perspective, I would highly oppose your motion because I  
16 don't want to get inundated with junk. And that's what  
17 will happen.

18 BOARD MEMBER DAMIANO: I would agree that we by  
19 taking that action, we have put an undue burden upon the  
20 Department to review every proposal that comes through the  
21 doors without giving any criteria around the initial  
22 screening process to approve or reject.

23 BOARD MEMBER BRIGHT: I thought they already did do  
24 approval of vendors and programs, right?

25 SECRETARY FULLER: We do. But you're opening the

1 door to junk with your motion that I don't want to deal  
2 with from the Department's perspective. Because there's  
3 no criteria other than you'll have a class on code,  
4 safety, and theory. That's the only requirements we have.

5 BOARD MEMBER BRIGHT: The Department could set  
6 parameters to what they --

7 SECRETARY FULLER: No. No. I cannot do that unless  
8 it's in WAC rule.

9 CHAIRWOMAN PREZEAU: So here's the -- I know that Rod  
10 has something, then I'll move to Janet.

11 This is part of the reason why I don't like this  
12 proposal at all is because -- I don't know about -- all of  
13 us prepared for this meeting. Right? For the record, the  
14 material that you sent to us, Ron, this huge change is not  
15 highlighted. Is it is not indicated except -- you know,  
16 here it says this has been moved. But this entire clause  
17 that you said to us was not -- there was no attention  
18 brought to this.

19 So I don't know if there are people on this Board  
20 that had no idea that this was coming.

21 SECRETARY FULLER: And that's all I'm saying is  
22 either give me direction to make some modifications and  
23 bring it back to the Board in a special meeting or let's  
24 cancel it. That's what I want to see happen.

25 CHAIRWOMAN PREZEAU: Okay.

1 BOARD MEMBER BRIGHT: I'll withdraw my motion.

2 CHAIRWOMAN PREZEAU: And Janet?

3 BOARD MEMBER LEWIS: I withdraw the second.

4

5 Motion Withdrawn

6

7 Motion

8

9 BOARD MEMBER BRIGHT: Then I'll propose that we  
10 strike this -- these changes.

11 BOARD MEMBER BAKER: Second.

12 CHAIRWOMAN PREZEAU: So the original motion has been  
13 withdrawn. And now the motion on the table is to strike  
14 everything that is in red and underlined in WAC --

15 SECRETARY FULLER: Line 8 through 12.

16 CHAIRWOMAN PREZEAU: -- line 8 through 12 on page --

17 SECRETARY FULLER: 131.

18 CHAIRWOMAN PREZEAU: -- 131.

19 MS. FORSBERG: Madam Chair, Milton needs to change  
20 paper.

21 (Whereupon, proceedings  
went off the record for  
22 court reporter to change  
paper.)

23

24 CHAIRWOMAN PREZEAU: So motion and a second.

25 Discussion on the motion?

1 BOARD MEMBER TOWNSEND: Tracy?

2 CHAIRWOMAN PREZEAU: Yes.

3 BOARD MEMBER TOWNSEND: Being the new guy here, I'll  
4 speak to it.

5 A couple of observations here. And I agree with your  
6 statement that what we're speaking to here is a craft.  
7 And I can watch the Internet for three weeks and think I  
8 can do brain surgery by watching it there. And that's a  
9 poor analogy, but that's kind of the comparison. However,  
10 there are delivery methods and there are learning styles  
11 for trainees or for students to -- they have to touch it,  
12 they can see it. You know, there's different learning  
13 styles. And there are some elements of what we're  
14 approaching here that would address that. I would suggest  
15 maybe a code revision. Some of those things can be done  
16 on the Internet to make sure that somebody's awake and  
17 that they, you know, go through the quiz. However, there  
18 are other people that have to have something in their  
19 hands. I couldn't splice a 200 pair cable by watching it  
20 on-line. I couldn't splice -- I couldn't do any craftwork  
21 frankly for me to do it that way. So that addresses that  
22 issue. And the way that I see that is that with that  
23 there, you could easily become the default route by a  
24 vendor by doing it on-line because it's a lower cost.  
25 It's something where you don't have to rent a room. You

1       don't have to have folks there.

2               On the straw poll when I raised my hand and I said  
3       "yes," I said "yes" with a qualifier is with the content.  
4       And so I think that what we're struggling with here is  
5       what kind of content and what kind of along with the  
6       delivery mechanism is going to be appropriate to be  
7       effective for people to learn their craft. And you can't  
8       show how to -- (inaudible) -- a wire or do whatever, do a  
9       craft job for lot of people with something on the  
10      Internet.

11             So I think your point (indicating) was well taken as  
12      far as finding a hybrid where some of those could be done.  
13      You could use an arbitrary percentage: half Internet and  
14      half -- but that still doesn't address the content and  
15      what the appropriate delivery mechanism is.

16             So I think we're struggling with that right now  
17      because -- you're right, that right there, that would drop  
18      right to Internet delivery because all those people are  
19      going to go to that, and not a lot of people are going to  
20      want to go to the higher cost and for the guy paying the  
21      freight for it.

22             So I think it is something we will have to revisit.  
23      It's something we're going to struggle with. There's  
24      colleges and other vendors that do that kind of work too,  
25      but it's not necessarily an apples-to-apples comparison as

1 far as the industry.

2 SECRETARY FULLER: Guaranteed, there are I'm going to  
3 say zero in-class classes right now that are anything  
4 other than code training and maybe some theory. There is  
5 no hands-on. There is no lab stuff. There's none of that  
6 type of thing happening. And that's one of the dilemmas  
7 with this kind of training is that it's not an  
8 apprenticeship. It's -- they're teaching how to use the  
9 books. That's what they're teaching. And I don't look  
10 for that to change.

11 CHAIRWOMAN PREZEAU: Further discussion on the  
12 motion?

13 BOARD MEMBER DAMIANO: I would -- I'm opposed to  
14 outright striking.

15 If I could ask a question of Ron. Based on the  
16 discussion that we've had, do you think you could capture  
17 the concerns raised by the Board and craft a proposal for  
18 review, and at that point in time the Board could then up  
19 or down that proposal? And if it goes down, the language  
20 stays the same.

21 SECRETARY FULLER: I can head that way. I don't know  
22 that it's going to be acceptable because I don't really  
23 know what the motivations are.

24 BOARD MEMBER DAMIANO: I would prefer one more look  
25 at something that Ron would feel more comfortable with

1 before we took a final vote.

2 BOARD MEMBER GUILLOT: If I may, I concur with what  
3 you're saying with the exception of the fact that if Ron  
4 can't do it, then this remains intact. Because it's clear  
5 to me that everybody in here has concerns about that  
6 specific language. If you can't come up --

7 CHAIRWOMAN PREZEAU: The changes.

8 BOARD MEMBER GUILLOT: The changes. Okay. If Ron is  
9 unable to come up with something that's satisfactory to  
10 us, then we would need to vote whether or not it needs to  
11 stay in or not.

12 I'm like Rod. I'm from the old school. You go where  
13 the work is.

14 CHAIRWOMAN PREZEAU: Any more discussion on the  
15 motion?

16 Janet.

17 BOARD MEMBER LEWIS: I think it would be easier to  
18 get rid of this language and -- if there's a substitute  
19 for it. I mean, I don't think by not getting rid of it it  
20 doesn't allow Ron to craft another rule and send it out to  
21 the Board. But I think this is too complicated of an  
22 issue to try to change it right here without going back to  
23 the people we represent.

24 And to add, I'm reading the RCW. It says the  
25 approved classroom training should include the rules and

1 regulations, the code and -- you know, it has some  
2 guidelines on what those classes should include. So we  
3 can't forget the original intent of the language here.

4 BOARD MEMBER DAMIANO: May I offer an amendment to  
5 the motion that the language be stricken, and the  
6 Department be instructed to offer an alternative that  
7 attempts to address the concerns of the Board.

8 BOARD MEMBER BRIGHT: That would be another motion.  
9 Strike this, and then you make your motion to suggest  
10 that. Or not.

11 CHAIRWOMAN PREZEAU: Rocky.

12 BOARD MEMBER SHARP: I'd like to call for the vote.

13 CHAIRWOMAN PREZEAU: Okay. So Rocky has called for  
14 the previous question which is the motion on the floor  
15 which does not preclude you from making one, right? The  
16 motion on the floor is to strike the language in red and  
17 underlined from line 8 through line 12 on page 131.

18 BOARD MEMBER BELISLE: A point of clarification.

19 CHAIRWOMAN PREZEAU: Okay.

20 BOARD MEMBER BELISLE: Does that also mean to take  
21 away the strike of internet -- "and internet"?

22 SECRETARY FULLER: It would, yes.

23 CHAIRWOMAN PREZEAU: Correct.

24 BOARD MEMBER BELISLE: Thank you.

25 CHAIRWOMAN PREZEAU: That's a good point. Because



1 the intent of the motion is to return the language to what  
2 it read before it had been altered.

3 BOARD MEMBER BRIGHT: Basically to reject the  
4 proposed change.

5 CHAIRWOMAN PREZEAU: So thank you, Rod. I appreciate  
6 that.

7 So all those in favor of the motion to reject the  
8 changes, signify by saying "aye."

9 THE BOARD: Aye.

10 CHAIRWOMAN PREZEAU: All those opposed to the motion  
11 signify by saying "nay."

12 All right. The motion passes.

13  
14 Motion Carried

15  
16 CHAIRWOMAN PREZEAU: So that language comes out and  
17 the original language is preserved.

18 BOARD MEMBER BRIGHT: Unless we modify it.

19 CHAIRWOMAN PREZEAU: Unless there's another motion to  
20 do something else.

21  
22 Motion

23  
24 BOARD MEMBER DAMIANO: Madam Chair, I would make a  
25 motion to instruct the Department to create language that

1 attempts to involve the issue of access, also taking into  
2 account the concerns of the Board over content, delivery  
3 and mastery.

4 CHAIRWOMAN PREZEAU: Do we have a second?

5 BOARD MEMBER BELISLE: Second.

6 CHAIRWOMAN PREZEAU: So motion and second to direct  
7 the Department to craft alternative language that  
8 addresses access to classroom training -- basic classroom  
9 training, but recognizes and assuages the concerns of the  
10 Board. Does everybody understand the motion? Discussion  
11 on the motion?

12 BOARD MEMBER BRIGHT: Yeah. I don't think this needs  
13 to be part of the motion or I'm not offering an amendment,  
14 but I'm trying to find in RCW 19.28 a definition of  
15 "classroom," and it is not there. So by default the  
16 definition of "classroom" would be like the dictionary  
17 definition of "classroom." We'd have to have -- anytime  
18 the word "classroom" is used in the proposal that the  
19 Department comes up with, we'd have to have something  
20 identifying that we're not just talking about a physical  
21 classroom with a teacher in the front and chairs and desks  
22 and that kind of thing just to be compliant with --  
23 because the RCW is silent on the definition of what a  
24 classroom means.

25 CHAIRWOMAN PREZEAU: Any other discussion on the

1 motion?

2 BOARD MEMBER BAKER: Well, I'm just curious if Ron  
3 feels comfortable with that task. Is that something the  
4 Department can do?

5 SECRETARY FULLER: I -- I mean, I've heard what  
6 everybody has to say. I don't know whether I can make  
7 everybody happy or not. But -- so I'm --

8 CHAIRWOMAN PREZEAU: There was no language in the  
9 motion that says that we would -- you know, that everybody  
10 would be satisfied; just that you attempt, right?

11 SECRETARY FULLER: So I can't remember -- this is why  
12 we need Pam here. I can't remember on special meetings  
13 how far in advance we have or if at all we have to make  
14 that notice or if this will even work without really  
15 delaying the WAC rule process.

16 CHAIRWOMAN PREZEAU: We have to make the notice.

17 SECRETARY FULLER: How long is it, though?

18 BOARD MEMBER GUILLOT: It's for a special meeting,  
19 though.

20 SECRETARY FULLER: Special meetings, I don't think  
21 it's the same as a regularly scheduled meeting.

22 CHAIRWOMAN PREZEAU: I don't know.

23 SECRETARY FULLER: It's 30 days for a regular  
24 meeting.

25 CHAIRWOMAN PREZEAU: Because we haven't called a --

1 we haven't had to call a special meeting in some time.

2 But I guess, you know, duly noted, right?

3 SECRETARY FULLER: So the reason I'm saying this is  
4 that I don't want to delay the rule process because of  
5 this issue. That's what I said up-front. I don't want  
6 this to bog us down on the rule process because there's  
7 many more important things than this to get done.

8 CHAIRWOMAN PREZEAU: Well -- and I -- to your point,  
9 Ron, I don't think anybody in this room wants to hold up  
10 -- I mean -- wants to hold up the rule-making process  
11 because we can't --

12 SECRETARY FULLER: That's all I'm saying is that it's  
13 just a statement of fact that, you know, I can do this  
14 probably in a couple of weeks at the most; I could have  
15 you some language. We could do a special meeting and do  
16 it -- I'll probably use Live Meeting for it. And then --  
17 but I don't know if we've -- if that would delay the  
18 public hearing, then I wouldn't want to delay the public  
19 hearing.

20 BOARD MEMBER BELISLE: That's fair.

21 BOARD MEMBER BRIGHT: When is the public hearing  
22 scheduled?

23 SECRETARY FULLER: It's going to be in October. But  
24 I don't -- again, I don't know how much notice we have to  
25 do to notify people of the special meeting.

1           CHAIRWOMAN PREZEAU: Yeah, I'm trying to find that  
2 out.

3           So here's what I understand I guess from my  
4 perspective. The motion was the Department will --

5           SECRETARY FULLER: Prepare some draft language.

6           CHAIRWOMAN PREZEAU: Prepare, right? Which doesn't  
7 mean that -- you know, it might be that you do the  
8 research and figure out that you can't do it. And I think  
9 that's -- you know, whether it's a timeliness issue or  
10 whether it's -- as you said, we don't want to slow down  
11 the entire review. It's all of those things need to be  
12 taken into consideration.

13          SECRETARY FULLER: Because I can't move to the code  
14 reviser until I have final language. And I have to do  
15 that before I can file my CR102 which sets the public  
16 hearing process in place. So I have to be finalized  
17 before I can make my next step.

18          CHAIRWOMAN PREZEAU: Janet, did you --

19          BOARD MEMBER LEWIS: Is there a way for the Board to  
20 recommend all of the other rules and leave the door open  
21 that if the Department is able to come up with acceptable  
22 language, that that will be added? That way we don't hold  
23 up the entire package.

24          SECRETARY FULLER: That's what's going to happen. I  
25 mean, that's what's going to happen.

1           BOARD MEMBER LEWIS: But we haven't made a motion to  
2 that yet.

3           SECRETARY FULLER: Well, you don't have to.

4           BOARD MEMBER LEWIS: Well, we have to approve all the  
5 other proposals.

6           SECRETARY FULLER: Yeah.

7           BOARD MEMBER LEWIS: I mean, we could do that today  
8 without this --

9           SECRETARY FULLER: We've -- I mean, you just advised  
10 against this. You don't get to make a -- I mean,  
11 technically I could take this thing and say, "Thanks for  
12 your information, but I'm moving forward." But that's not  
13 what I do.

14           So there's still got to be another motion for  
15 everything else at this point at the end when we finish  
16 scrolling.

17           BOARD MEMBER BRIGHT: So are you -- so what you're  
18 tasked with doing if this motion passes is to come up with  
19 rules that define the parameters that a program would need  
20 to comply with?

21           SECRETARY FULLER: Yes. That's what I'm hearing.

22           BOARD MEMBER BRIGHT: Okay. So would it be  
23 beneficial for us to kind of -- I mean, you've heard  
24 enough to think you have a pretty good grasp on what we  
25 think those rules should be, right?

1 SECRETARY FULLER: Yeah.

2 BOARD MEMBER BRIGHT: Okay.

3 CHAIRWOMAN PREZEAU: Any more discussion on the  
4 motion?

5 And I cannot find in here where it says for special  
6 public meetings.

7 SECRETARY FULLER: It's in the APA somewhere.

8 CHAIRWOMAN PREZEAU: Any more discussion on the  
9 motion? All right. So all those in favor signify by  
10 saying "aye."

11 THE BOARD: Aye.

12 CHAIRWOMAN PREZEAU: Opposed? So moved.

13

14 Motion Carried

15

16 SECRETARY FULLER: So one change I made just a few  
17 minutes ago because I did see I forgot to change this 70  
18 to 75 for the exams because that's what you were wanting  
19 for -- so I did that.

20 Took out some fill-in-the-blank language here. This  
21 is -- oh, there's one right there too. You said you  
22 wanted all of those changed to 75.

23 Completion certificate, we really don't care about  
24 because we don't use them anymore.

25 Class attendance, we took out the language about

1 completion certificates, again, because we only use the  
2 electronic rosters.

3 Okay. New stuff here about fraudulent, inaccurate or  
4 material misrepresentation activity by a course sponsor  
5 that we're going to issue civil penalties if we find them  
6 cheating out there basically. So that's the guy that  
7 offers an eight-hour course and sends everybody home at  
8 10:00 in the morning or something. That's what this was  
9 for.

10 Somewhere -- I didn't see -- (pause)

11 CHAIRWOMAN PREZEAU: What are you looking for, Ron?

12 SECRETARY FULLER: I'm looking for -- right here.

13 Okay. Rod brought up a good point last week to me with  
14 the class -- the application submission process. And I  
15 think I changed the different -- I think I changed the  
16 Code Reviser version and not this version. But what we  
17 would like to do is get rid of a lot of the paper. We  
18 actually had -- I think he told me we had 59,000 pages of  
19 paper last year that we have to deal with. Archive and  
20 store and stuff.

21 CHAIRWOMAN PREZEAU: Related to continuing education.

22 SECRETARY FULLER: Just continuing education. So  
23 what we'd like to do is get the process streamlined a  
24 little bit for the providers and for us, work off of  
25 syllabuses and that we don't need to see every question in



1     their databank. We don't need to see every minute of  
2     their instruction what they're going to talk about, you  
3     know, their PowerPoints, all that stuff. Because it  
4     really boils down to us in the first place about it's the  
5     instructor that makes the class. So we're not out there  
6     verifying that they're following their PowerPoint in the  
7     first place either. So all that material's pretty much  
8     useless for us. What I'm really interested in is what  
9     they're asking for, what tape of class, how many hours  
10    they're going to do, what their general topic is, the  
11    syllabus of the class, and be done with it. And then  
12    accept that stuff electronically so that we can deal with  
13    it on a much more proficient basis I guess. Because right  
14    now there's a lot of paperwork involved. So there's --  
15    it's like any required examination. That one's really  
16    impossible now because the Board has said that you want  
17    random examinations. So you can't even do some of this  
18    stuff now what the Board's asking for. So we've got a  
19    much streamlined application process compared to what's  
20    here. And I wish I had the other version with me, but I  
21    don't.

22        So that's -- I just want to give you that heads up  
23    that that change is in there too to simplify that process  
24    for the applications.

25        So -- I mean, really what we are looking for is the

1 course syllabus and talk about it. Do we really need to  
2 know what textbooks they're going to use? I don't really  
3 think so. I think we want to know what the course is  
4 about, and there's some level of trust that you have to  
5 give the provider at that point probably. So that's my  
6 goal there is knock that process down substantially  
7 without having 59,000 pages of -- some of these packages  
8 are like that (gesturing) for one class. That's just  
9 crazy for me as an administrator.

10 CHAIRWOMAN PREZEAU: Yeah, I'm going to guess it's a  
11 balance. You want to make sure that good stuff is  
12 happening, but you also -- it can't be so onerous that  
13 you, you know, get paralyzed by it.

14 SECRETARY FULLER: Right now it's -- there's a lot of  
15 paper.

16 Okay, so that gets us through CEU's.

17 Training schools -- okay, training schools. We have  
18 a new thing that says the roster must show each student's  
19 name, date of enrollment, their training card number, and  
20 the program training number.

21 We're having real issues right now with training  
22 schools that aren't keeping their trainees actively as  
23 trainees. They start their training class. Nine months  
24 later they may get their training certificate. So that  
25 doesn't match the law. So right now we're having to do

1 battle on that. And the downside is it's really hurting  
2 the trainees. Because number one, they don't understand  
3 that they have to have a training certificate from day  
4 one.

5 We've had some people recently in a one-year training  
6 program that didn't get their training card till nine  
7 months, and we prorate out nine months worth of time. And  
8 that's a back-breaker because they've paid for that class  
9 and they finished it under the belief that they were going  
10 to get full credit. We're not giving them full credit.  
11 This just puts a little more burden on that training  
12 school to make sure they have their card day one. And if  
13 they don't, then we're probably going to start issuing  
14 penalties to those training schools and pulling their  
15 accreditation. You know, this isn't CEU providers; this  
16 is Bateses, Bellingham Techs, those kinds of private  
17 providers, junior colleges. It's a significant problem  
18 right now.

19 CHAIRWOMAN PREZEAU: Would you consider -- I mean, I  
20 heard you say that potentially the citation would go to  
21 the provider. But at the end of the day, the provider  
22 can't I guess march -- if I'm at Bates, they can't march  
23 me down to L & I. I guess they could, you know, buy the  
24 training certificate on-line. But -- I mean, are you guys  
25 also thinking about -- I think there's only so much that

1       they actually can do in order to make those folks get  
2       their trainee's --

3               SECRETARY FULLER: Well, what we've told them flat  
4       out is make it a prerequisite for your class. You don't  
5       start them until they've got it.

6               CHAIRWOMAN PREZEAU: It seems simple enough I guess.

7               SECRETARY FULLER: It's not rocket science stuff. It  
8       needs to be a prerequisite.

9               Okay. False reporting, again, that we can write  
10       citations. So again, that's where we're headed is to have  
11       a little bit of hammer here with these providers. It's  
12       them creating the problem for us and the trainees.

13              So this is the revoke-or-suspend section again that  
14       lets us -- if they're inaccurate in their reporting, we  
15       can -- for basic classroom -- we can take action.

16              Okay. This one, we added "basic classroom" in here.  
17       This is the Board section for appeals. So they could come  
18       to you for an appeal basically.

19              CHAIRWOMAN PREZEAU: Ron, I'm going to make a  
20       suggestion. I know people are getting antsy. So am I.  
21       And I'm sure that Milton's fingers are getting a little  
22       bit tired. I don't -- we still have the exam report to  
23       do.

24              SECRETARY FULLER: That won't take very long, though.

25              Right, Rod?

1 CHAIRWOMAN PREZEAU: (To court reporter) So is that  
2 -- are you going to be okay? Or what do you -- I mean --

3 THE REPORTER: I'm also antsy. I need to make a  
4 phone call. If we could take a quick five-minute break?

5 CHAIRWOMAN PREZEAU: Yeah, I mean, I stepped out to  
6 make a phone call because I had to cancel an appointment.

7 But if others -- I just really want to be respectful  
8 of folks. This is probably going longer than people had  
9 anticipated. And if maybe we need to make -- I don't want  
10 to waste people's time, but I also don't want to put  
11 people in a bind.

12 So I would suggest a five-minute break. I know we  
13 have very little left. But --

14 SECRETARY FULLER: Okay.

15 CHAIRWOMAN PREZEAU: -- a five-minute break.

16 (Brief recess taken.)

17 CHAIRWOMAN PREZEAU: All right. So our five minutes  
18 are up. We have a quorum. We're going to keep moving  
19 forward.

20 SECRETARY FULLER: Okay. The next thing is on page  
21 144. These last -- I think there's only two changes now.  
22 This one is eliminating the engineer requirement for using  
23 forms required by the Department before beginning an  
24 evaluation. We don't require them to do it up-front  
25 anymore. They just go do it, and we check the label after

1 the fact.

2 And then I think we have the same -- oh, this one's  
3 new too. If a lab chooses to add additional standards  
4 prior to its expiration date, it must request approval and  
5 use the form -- and provide the form to the Chief. So no  
6 big deal there.

7 So we have labs fairly regularly that expand their  
8 allowed scope of work.

9 And then for field evaluations, we want on the labels  
10 the date the equipment label was affixed.

11 And then this is the same thing for laboratories for  
12 field evals, we don't need up-front permission from -- for  
13 them anymore. And we don't really care how long it takes  
14 them. In reality we're just looking for the labels. So  
15 if it takes somebody two years to get approved, it takes  
16 two years. Because we're not going to approve them  
17 either.

18 And this last one was in there -- on the label for a  
19 field evaluation, if there's a limitation of use in the  
20 report, they need to put that on the label. Because what  
21 we've seen is that it can be in the report, and it gets  
22 filed away and nobody understands it or knows it's there.  
23 Equipment gets moved to a wooden floor. It's got an open  
24 box -- bottom box or something on it, then there's a  
25 potential problem. So it needs to be right out there so

1 everybody can see it.

2 And that's it.

3 So with that, I would entertain a motion to support  
4 the Department's proposals that you've seen --

5

6 Motion

7

8 BOARD MEMBER BRIGHT: I move to recommend.

9 SECRETARY FULLER: -- and move forward.

10 CHAIRWOMAN PREZEAU: Is that a motion?

11 BOARD MEMBER BRIGHT: Yeah. I said "move to."

12 CHAIRWOMAN PREZEAU: Oh.

13 Do we have a second?

14 BOARD MEMBER DAMIANO: Second.

15 CHAIRWOMAN PREZEAU: So there's been a motion and a  
16 second to accept and recommend the proposals as amended.

17 Is that correct? Any discussion on the motion? Seeing  
18 none, all those in favor of the motion say "aye."

19 THE BOARD: Aye.

20 CHAIRWOMAN PREZEAU: Opposed?

21

22 Motion Carried

23

24 CHAIRWOMAN PREZEAU: All right. Second to last thing  
25 on the agenda -- because technically there should be on

1 every agenda the last agenda item should be public  
2 comments. And the -- but I do know this: I'm going to  
3 knock down agenda item number 11 which is public comments  
4 since the only person signed in to make public comments  
5 was Mr. Dennis Herman, and he's already made his comments.  
6 So we have satisfied that.

7  
8 Item 10. Certification/CEU Quarterly Report  
9

10 CHAIRWOMAN PREZEAU: So with that, I would ask Rod,  
11 if you want to lead us through the conversation about  
12 certification and CEU quarterly reports.

13 MR. MUTCH: Well, we've kind of beat CEU's to death  
14 today. Ron gave the statistics about the courses that  
15 we've approved the last quarter, and they were similar to  
16 the first quarter.

17 So I would say if you have questions, I can expound  
18 and pontificate about CEU's if you like. So any questions  
19 about what's going on?

20 We've been reviewing courses, and I've noticed I've  
21 been denying it seems like a lot more lately, and I don't  
22 get it. It's people are submitting for the incorrect  
23 amount of hours, course content. We're kind of looking at  
24 the electrical content of the courses, and a lot of them  
25 aren't electrical in content. There's a lot of things



1       that we're seeing that aren't electrical.

2           And one thing I would say that the Department and the  
3       Board has the right to monitor courses without notice and  
4       free of charge. If you hear of a course that you think  
5       doesn't meet the requirements, we have the right to  
6       monitor those and just let us know.

7           Any questions?

8           CHAIRWOMAN PREZEAU: I have a question about the exam  
9       report. Are you going to talk about that?

10          MR. MUTCH: I don't have the exam report. Larry's  
11       got that I think.

12          CHAIRWOMAN PREZEAU: Okay. So you're just talking  
13       about CEU's?

14          MR. MUTCH: CEU's.

15          CHAIRWOMAN PREZEAU: (Directed to Mr. Vance) And then  
16       you're going to talk about the exam?

17          MR. VANCE: I can, yes.

18          MS. FORSBERG: We haven't put it on the agenda.

19          CHAIRWOMAN PREZEAU: Any questions for Rod about CEU  
20       quarterly report? Beautiful.

21          MR. MUTCH: Thank you.

22          CHAIRWOMAN PREZEAU: Thank you.

23           I do have a question about the examination report.  
24       All of you should have that in your packets, right? They  
25       go through -- because Larry -- I just don't seem to be

1     very smart.  It's probably not a news flash to most folks  
2     in this room.  So if you turn to page -- let's just use  
3     simple numbers -- page 7.  And if you look at first time  
4     passes, right? they're broken down between NEC, theory,  
5     and then WAC and RCW's.  So five people pass it the first  
6     time.  I'm just looking at the NEC portion, so bear with  
7     me.  I just want to understand what these numbers actually  
8     tell me.  So I look at this, and it tells me that there  
9     were a few -- you can add up the number of people that  
10    took the NEC theory exam, first time passes, first time  
11    fails, that there would be 17 people that took it for the  
12    first time in the quarter.  Is that correct?

13           MR. VANCE:  That would be correct.  I think that's  
14    what they're saying, yes.

15           CHAIRWOMAN PREZEAU:  And then when you look at these  
16    repeat passes, right?  So then -- so of those 12 that  
17    failed, 8 of them took the test again and passed.  Yes?

18           MR. VANCE:  Yes.

19           CHAIRWOMAN PREZEAU:  And then when you look at this  
20    repeat fails of -- so obviously what you're seeing in here  
21    there are some of this population that have taken this  
22    test multiple times in that same quarter, this portion of  
23    the test and failed it multiple times?

24           MR. VANCE:  Right.

25           CHAIRWOMAN PREZEAU:  I just wanted to make sure -- I

1       just wanted to walk through that --

2           MR. VANCE:   Yeah.

3           CHAIRWOMAN PREZEAU:  -- for my own --

4           BOARD MEMBER BELISLE:  When I read that, I'm assuming  
5       there's so many fails because of those 14, some of those  
6       could have been from the previous quarter.  That's why the  
7       numbers don't add up --

8           MR. VANCE:  Previous year even.

9           BOARD MEMBER BELISLE:  Yeah.

10          MR. VANCE:  We had someone recently that had taken  
11       the WAC/RCW portion of the examination, failed it for the  
12       third time, really frustrated and called in and said, "You  
13       know, there's something I'm missing."

14          We explained the examination.  We reviewed his  
15       questions.  All the questions were valid questions, proper  
16       answers in the database.

17          And he just wasn't getting it.  And he was missing  
18       things from all over the spectrum.  But once that happens  
19       to him, then he's got a waiting period -- he's got a  
20       mandated waiting period until he can go back in and take  
21       the examination.  But people do go in there and rapid  
22       fire, just bang, bang, bang, fail that examination which  
23       does skew these numbers.

24          SECRETARY FULLER:  Most of the time they're not smart  
25       enough to know that when they fail, they should go study a

1     little bit. They just want to take it. They just go take  
2     it.

3           CHAIRWOMAN PREZEAU: Yeah, I know. Because clearly  
4     -- I just want to -- it creates some confusion for -- I  
5     don't know. Maybe I'm trying to fix something that's not  
6     broken. But, you know, I look -- when you look at  
7     columns, and the numbers don't really add up, you sort of  
8     like, Wait a minute, what's going on here?

9           Well -- and the other thing, which is why I'm excited  
10    that you put it in the WAC is you can be cited for  
11    cheating on the exam. Because a potential -- I mean, I  
12    know that we've responded significantly to some of these  
13    folks that think it's easier to come in and take a cell  
14    phone picture of the screen shot or whatever. Now we have  
15    a 2,000 question bank situation and randomly generated and  
16    all that. It makes it pretty difficult -- if you're going  
17    to know the answers to 2,000 questions, then you're --

18          BOARD MEMBER BRIGHT: Then you're probably going to  
19    pass the test.

20          CHAIRWOMAN PREZEAU: Yeah, you're probably going to  
21    pass the test.

22          I just -- anyway, I just wanted to identify why some  
23    of these numbers looked different than you would expect  
24    maybe. But I still find it alarming that once you seen --  
25    once you've seen the exam once, if you didn't pass it,

1       that you would kind of get a sense of what you needed to  
2       do, right? to be successful.

3               SECRETARY FULLER:   Go study.

4               CHAIRWOMAN PREZEAU:   Because the other piece -- and  
5       this didn't come up in the discussion earlier is the other  
6       piece is if folks don't have access to that training, it  
7       has an impact on themselves, right? and their ability to  
8       attain journey level status, whether it's specialty  
9       journey level status or general journey level status, and  
10      it also has potentially an impact on the employer.   So --  
11      anyway.

12              Any other -- the other thing that I find amazing is  
13      the failure rate on the NEC and the theory part is -- you  
14      know, I find it kind of astronomical.   They're not doing  
15      so badly in failure of the WAC and RCW's.

16              MR. VANCE:   Yes.   It's again.   It just remains  
17      consistent.   The 01 electricians and administrators and  
18      master electricians have the highest pass rate.   And it  
19      moves drastically --

20              CHAIRWOMAN PREZEAU:   Exceptionally -- yeah.   A  
21      terrific difference.

22              MR. VANCE:   Yes.

23              CHAIRWOMAN PREZEAU:   Any other questions for Larry  
24      regarding examination?

25              The Chair would entertain a motion to adjourn.

1 Motion to Adjourn

2

3 BOARD MEMBER DAMIANO: So moved.

4 BOARD MEMBER: Second.

5 CHAIRWOMAN PREZEAU: All those in favor of

6 adjournment?

7 THE BOARD: Aye.

8 CHAIRWOMAN PREZEAU: Opposed? We're adjourned.

9

10 Motion Carried

11 (Whereupon, at 3:10 p.m.,  
proceedings adjourned.)

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## C E R T I F I C A T E

STATE OF WASHINGTON )

) ss.

County of Pierce )

I, the undersigned, a Certified Court Reporter in and for the State of Washington, do hereby certify:

That the foregoing transcript of proceedings was taken stenographically before me and transcribed under my direction; that the transcript is an accurate transcript of the proceedings insofar as proceedings were audible, clear and intelligible; that the proceedings and resultant foregoing transcript were done and completed to the best of my abilities for the conditions present at the time of the proceedings;

That I am not a relative, employee, attorney or counsel of any party in this matter, and that I am not financially interested in said matter or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand on this 5th day of September , 2012, at Tacoma, Washington.

---

H. Milton Vance, CCR, CSR  
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